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CALENDAR

OF

STATE PAPERS,

COLONIAL,

1685–1688.

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COLONIAL SERIES,

AMERICA AND WEST INDIES,

1685 — 1688.

PRESERVED IN THE

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THE HON. J. W. FORTESCUE.

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PREFACE.

State of the Colonies at King James's accession.

THE present volume opens with the accession of King James the Second, on the 6th of February 1685, and is continued to December 1688, at which date, as will be seen, orders were still issued from England in respect of the Colonies in his name and by his authority. It will be remembered, on reference to the previous volume of this Calendar, that many most important matters awaited the decision of the new King. Massachusetts was virtually without a government; and the subjection of Massachusetts to the royal authority signified great changes for the whole of New England. New Hampshire also was without a governor. Bermuda likewise lay in a state approaching to anarchy. Jamaica was under the control of an administrator pending the arrival of a successor to Sir Thomas Lynch; in Barbados the corrupt rule of Sir Richard Dutton was drawing to its close; and in the Leeward Islands there was the difficulty of finding a governor worthy to follow the veteran Sir William Stapleton. Finally, French encroachment was active whenever it could find an opening against the British, whether in the West Indies or on the frontiers of the North American Colonies. In a word, Colonial affairs appealed urgently for the attention of an active and resolute administrator.

Monmouth's Rebellion.

The rebellion of Argyll and of the Duke of Monmouth in May and June 1685 threw the first energies of King James for a time into a different channel. It is strange to note how swiftly the news of these intended risings flew across the Atlantic. Monmouth did not land at Lyme until the 11th of June, and yet on the

26th of April it was already noised in New Hampshire that the Duke of Monmouth was King, and that the Duke of York would never be crowned (183, I.). The King's Circular announcing the rebellion will be found at No. 256, and it will be noticed that it forms only an appendage to the intelligence of a matter more important to the Colonies, namely, the imposition of a duty on sugar and tobacco. A further Circular (404) reports the transportation of a number of the unfortunate rebels, whole lists of whom may be found by reference to the index under the headings of Barbados and Jamaica. There are a few depositions from two transported rebels (561, 561, I.,II.) which throw rather a curious light on the recruiting of Monmouth's army and on the methods of Jeffreys. Notices of the rejoicings in the Colonies over the overthrow of the rebellion will be found at Nos. 372 and 405; but the name of Monmouth (*see Index*, Monmouth's rebellion) for some time remained ready in the mouths of men, when drink or insanity made them riotous or insubordinate.

Its effect on the Colonies.

In one quarter the news of Monmouth's failure was received with unfeigned relief. The defeated faction at Boston had used the opportunity to spread mischievous and malicious reports, giving great anxiety to the Governors of neighbouring Colonies (371), and had evidently formed hopes of regaining its forfeited liberties. At the outset of the new reign Governor Broadstreet wrote rather plaintively of the penitence of the Colony, and of its hopes of forgiveness, evidently not without some faith that the loyal celebration of King James's accession (137, 138) might conciliate the royal favour; while Connecticut and New Plymouth also sent loyal addresses (141, 147), not omitting to mention their ancient liberties. But directly the air had been cleared by the victory of Sedgemoor the indefatigable Edward Randolph was set to work to impugn the Charters of Connecticut and Rhode Island (276, 279); and the same fate was threatened against the Jerseys and Delaware (283, 304). A month later Randolph, reminding the Lords of Trade that the loyal party in Boston was still helpless and unrelieved, proposed the establishment of a provisional government to secure it from oppression (319) ; and his advice was acted on not the less readily for the complaint of an Anglican minister against the Independents of Boston. " Because I married " two Anglicans and baptised others who desired to be " members of the Church," he wrote (267), " they have " done me every imaginable outrage short of prison, the lash " and banishment, with which they have threatened me." Joshua Moody and Increase Mather, the high priests of the disloyal faction, were, as might have been expected, the promoters of these disorders. So Randolph submitted the names of a President and Councils for Massachusetts, Charlestown Bay, New Plymouth, and Maine, together with a list of towns fitted to choose Assembly-men (350), and sailed away for his ninth voyage across the Atlantic (334).

New England and Massachusetts. The new Government.

In May 1686 H.M.S. Mary Rose arrived with the new Commissioner for the temporary government, and on the 25th Joseph Dudley, the chosen president, swore in the New Council (674, 702). The Commission called forth a protest from the late Secretary of Massachusetts Bay, containing what might almost be called a menace, and yet on second thoughts a sulky submission. . . . " There being no " mention of an Assembly in the Commission we think that " highly concerns you to consider whether such a Commission " be safe either for you or for us. If you are satisfied with it " we, though we cannot assent thereto, shall demean ourselves "as true and loyal subjects." (702, I.) However, the Council was duly constituted, and rejoiced that its first address to the King should be one of congratulation over the defeat of Monmouth (790.) Meanwhile Randolph had lost no time in reporting to the Company of Connecticut that he had brought a writ against their charter, and that they would do well to resign it. (696.) As a matter of fact, owing to the length of his voyage—a tedious journey of six months—the time for the return of the writ was lapsed, so that in reality he could bring no coercion to bear (794). The Governor and Company, evidently aware of the fact, temporised and asked the advice of Governor Dongan of New York (728, 729), finally addressing the King for recall of the writ and for forgiveness for past offences (763). Rhode Island, on the other hand, surrendered her charter (749, 750, 777) and sent a messenger, John Greene, to England to beg for good terms. Still Randolph was anxious. He complained that President Dudley and his Council showed too much favour to the disloyal faction in New England, and prayed for the speedy arrival of a Governor-General (794, 824). At the same time the eternal disputes over the proprietorship of Maine and of the Narragansett country re-appeared (155, 819, 1059, 1060, 1104, 1105), and it was plain that there would be abundant work for a Governor-General to do.

SirE.Andros appointed Governor-General.

Meanwhile the Governor-General had already been appointed in the person of Sir Edward Andros, late the Duke of York's Governor in New York, and recently employed as an officer in the suppression of Monmouth's rebellion; and his commission and instructions were under preparation (*see Index*. Andros). Why Colonel Percy Kirk, the original Governor-designate, was superseded, does not appear. The minutes of the Lords of Trade shew clearly the general trend of the royal policy towards the union of the whole of the Northern Colonies under a single government (857). Still the process was long, and Randolph grew uneasy over the influx of Nonconformist immigrants from England, and over the latitude allowed to them, under the royal grant of liberty of conscience, by the President and Council. Dudley and his peers also shewed no disposition to provide maintenance for an Anglican minister recently sent to Boston from England. "From the first foundation of the Colony," they wrote, "ministers have been solely dependent on the voluntary "contributions of their hearers. . . . As his auditors "increase so will his maintenance." (925)—a piece of sound good sense which was unanswerable. Altogether affairs were in no very comfortable condition when in December 1686 Sir Edmund Andros at last arrived at Boston.

No Assembly allowed.

The new Governor's instructions contained one ominous clause. The style of enacting laws was to be "By the "Governor and Council," for there was to be no assembly of elected representatives. The reason for this was partly set forth in another provision, that neighbouring Colonies were to be assisted on occasion, which subsequent experience, down even to the year 1762, shewed to be far too wise to be acceptable. Moreover there was another unpleasant feature in the new government, namely, two companies of red-coated soldiers from the English Establishment for the garrison of Boston, some one hundred and twenty men in all, who were to incur the reproach of teaching the godly city to "drab, curse, drink, damn, and swear"* (832, 856, 857). The temporary Council had re-enacted laws and reimposed a few taxes identical with those voted under the late charter; but the measures were ill received, although no novelty, since free institutions were gone. Andros's first act was to take over the fort of Pemaquid. He then addressed himself to Connecticut, which after some hesitation had decided to yield itself to the King's disposal (1197, 1237) for restoration of its former government or annexation to New England. New York was desperately anxious (*see Index* Connecticut) to secure this province for herself, but the King, as shall be seen, had a wider design than this in view, though for the present some corrupt influence seems to have retarded his decision (1237). So Andros busied himself with investigation of the revenue of Massachusetts and of the rival claims to disputed territories (1414), and at last in October went down in person to Connecticut to annex it to his Government. Finally in April, 1688, a new Commission was issued to him, whereby he was constituted Governor not only of Massachusetts, New Plymouth, Rhode Island, Connecticut, New Hampshire, and Maine, but also of New York and the Jerseys; the whole being united under the name of New England, with a special flag for the whole province (1688, 1689). At this point, therefore, it will be convenient to leave New England for a time in order to trace the history of New York.

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*Palfrey.

Federation of New England and New York.

NEW YORK. It becomes a province of the Crown.

New York, as will be remembered, had been granted to James, Duke of York, and only at his accession passed to the Crown. The inhabitants at once seized the opportunity to point out that the province had suffered greatly through the disjunction of the Jerseys and Delaware from it; and indeed it should seem that the proprietors of New Jersey had given good ground for complaint (10, 23, 186). But the Lords of Trade on their side were already looking askance at the charter of New York, and resolving that its Government should be assimilated to that of New England. Constant pleas throughout this period for the annexation of Connecticut and the two Jerseys, show that jealousy between New York and New England was already in full play, and sufficiently justify the wisdom of King James in centralising thoroughly if he centralised at all. The course of the dispute may be traced in Nos. **1014**, **1160**, **1250**, **1262**, **1270**, **1279**, but, as its close has already been indicated, the matter need not further detain us.

French aggression, and Governor Dongan.

The really interesting point in the history of New York during these years is the story of French aggression and the resolute fashion in which it was resisted by Governor Dongan. In August 1685, he reported the French to be quiet, and the Indian trade to be good. "But," he added, "it will be much better if we take the same care as the "French by putting a little fort on this side the Great Lake

"(Ontario), as they have on the other. It is in the King's "dominions, nearer to us than to them, and would be an "obligation to the Indians to bring their beaver to us, which "would be six for one at present (315)." The "little fort," erected by the French, was that of Cadaraqui, or Fort Frontenac, at the head of Lake Ontario; and a principal object with them in building it was to overawe the Five Nations, or Iroquois, which were the most powerful tribes on the continent, and to gain them from the English side to their own. Dongan summoned the Five Nations to meet him at Albany, and resolved to hold them fast to the English alliance before the French could find an opportunity of over-persuading them. The action at once called forth a letter from a French Jesuit missionary, the first of a long series that was to pass between the Jesuits and the Catholic Governor of New York (327). In May 1686, Dongan wrote to Mons. de Denonville, the Governor of Canada (693), warning him that he knew of the French designs against the Five Nations, and of the reasons for them; but that he had no intention of allowing them to go forward, and was not to be deterred from his purpose by pleas for the safety of missionaries in propagating the Gospel. Catholic though he was, Dongan knew the methods of Jesuit missionaries too well to trust them; and he gave de Denonville to understand that he had heard of his intentions to erect a fort at Niagara, and would not permit it. De Denonville answered effusively, excusing his hostile designs against the Five Nations, pleading eloquently for the cause of Christianity (694, 727), and deploring the fact that so old a soldier should take umbrage at the despatch of a few stores to Cadaraqui. To this Dongan returned an extremely dry answer (791), which seems to have given offence, for he followed it up some months later by a letter of rather lofty apology, but full of resolution to submit to no liberties from the French (1027). He then wrote home giving an account of the dispute with France (which, as he observed, turned mainly upon their jealousy of the fur-trade), announcing his intention of sending a party under Mr. Macgregory to open up trade with the western Indians, and asking permission to erect a fort at Niagara (pp. 328, 329). The Five Nations, however, had been so much irritated by French aggression that Dongan had much trouble in preventing them from attacking the French missionaries, one of whom wrote to him an almost touching letter of thanks for his good offices (1282).

Dongan's resolute attitude against the French.

Still French encroachment continued, and Dongan's protests became more serious (1317), till at last, in July 1687, there came the news that the French had made an attack on the Senecas, one of the Five Nations, and had been beaten (1348). (Sundry accounts of the defeat of the French will be found in Nos. 1416, 1421.) Dongan himself was at the time at Albany engaged in palaver with the chiefs of the Five Nations, examining the causes which had prompted the French attack, and binding them closer to the English side (1377-1379). Then came the news that Macgregory's party had been stopped by the French and carried away prisoners to Montreal (1427, 1428). Dongan still kept his temper, being unwilling to fight the French without orders, in spite of their unprovoked onslaught on the Indian allies of the English; but he was urgent for prompt action. The French were encroaching as fast as they could, and, as he said, "a little thing now may prevent great expense of "money and blood hereafter" (1429). Following on this letter are copies of a furious correspondence between him and de Denonville. In December 1686, a treaty of neutrality had been agreed on with France, pending the settlement of various questions in dispute between the two nations (1062); and Dongan and de Denonville each reproached the other angrily with violating it (1429, I., II., 1430). Finally, in September 1687, Dongan furnished the Indians with arms, took two hundred men to strengthen the garrison of Albany, and sketched a plan of campaign for the Indian chiefs (1432, 1433). He had good cause to apprehend an invasion of the French, and he wished, in anticipation of Pitt, to put an end to their aggression once for all. "They will never live "easily with their neighbours till they have one good blow "given them," he wrote (1479). . . . "It can be "effected now by sending four or five hundred men from "Europe to help the Indians, and ordering all the American "governments to help with men and money." Such, no doubt, is the best way in which to meet what is now called a policy of pinpricks ; but Dongan was no swashbuckler, and he adds with prudence and wisdom, "The constant expense "inclines me towards a peace until the matters in dispute "can be settled at home *if the Governor of Canada will quit* "*his fort at Niagara and leave things as they were.*"

Truce, and Treaty of Neutrality. Accordingly a month later he proposed to de Denonville to return things to their former state (1495) ; and in February 1688 negotiations were definitely set on foot between the two Governors (1638, 1638, I.-XIV.), which came for the moment to little result, owing to the intense distrust of the French by the Indians. Meanwhile commissioners had been appointed to adjust the differences between the two nations in May 1687, with the result that a cessation of hostilities in all quarters was agreed on for the year 1688 (1254, 1600). But Dongan received distinct instructions from the King to protect the Five Nations and to meet invasion by invasion ; Andros in New England was ordered to help him if required ; and Virginia gave moral support by representing to the King the vital importance of keeping the Five Nations under the influence of New York (1505, 1506, (1574). In effect Dongan did apply to Andros for troops, and was loyally seconded by Sir Edmund (1548, I., II., 1684) ; but before the operations could be pushed further New York was merged in New England, and Dongan received his recall to England in most honourable terms (1712). Until the arrival of Amherst it is probable that no English soldier ever did such good service to America as he. Although a poor man, a Catholic, an officer only lately retired from the French service, and with money still due to him from the French King (791), he served England with a vigour and prudence and a loyalty that were of lasting value. No document more fittingly describes the man than his letter to King James on his accession. "I believe your "Majesty hath a whole crowd of importuners, so that I shall "desire nothing for myself, but entirely submit to your "Majesty's pleasure."

New York merged in New England.

So Andros took over the administration of New York as Governor of New England, with a new Council and with special instructions to protect the Five Nations (1702), his salary also being raised to 1,400*l.* a year (1789). Everything seems to have gone quietly in Boston, though two memorials from the Dissenters to the King show their anxiety for their religion and their consciences, particularly in the matter of the foisting of the Anglican doctrines upon them (1860, 1869). It does not appear that they had the least ground for alarm, beyond the fact that the Governor borrowed one of their churches for Anglican worship, without interfering with those who formerly used it (1676); and the King set all doubts at rest by expressly reconfirming liberty of conscience, free exercise of religion, and the continuance of the existing management of Cambridge College. Considering the extreme intolerance shown by the dominant faction at Boston in the past, these terms were liberal enough.

Inroad of Indians.

Then came a sudden inroad of Indians about Northfield and Springfield, carrying alarm into all the frontier settlements. A good picture of the hot haste in which the men in authority galloped round the scattered townships to give warning and organise defence will be found in a letter of

Colonel John Pyncheon (1877, I.). With a few further details as to this alarm the story of New England under James II. comes to an end. Though the colonies would never have worked kindly without representative institutions, as Randolph had foreseen, yet there was statesmanship from at any rate one point of view in this attempt to unite the jealous and contentious little communities against the common enemy on the border.

HUDSON'S BAY. French encroachment.

In yet another quarter of North America French encroachment had been busy and violent. In 1682 a party from Canada had attacked and burned certain of the settlements of the Hudson's Bay Company, and in 1686 another force had despoiled the forts and factories at the head of Hudson's Bay, captured three of the company's ships, and turned fifty Englishmen adrift in a small vessel to starve. The whole state of the case may be traced under the index-name of Hudson's Bay, and the insolent attitude of the French is remarkable. The affair appears to have been one of the first brought before the notice of the Commissioners to adjust differences; and the English stood firm in their claim to the whole of Hudson's Bay and to satisfaction for the damage done by the French (1515). Among the *Addenda* to the present volume will be found documents relating to a still earlier dispute over this same territory, not without instruction for the study of French violence and effrontery.

Pennsylvania.

Turning next to the Southern Colonies, we find the quarrel between Lord Baltimore and William Penn as to the boundaries of Pennsylvania still unsettled until November 1685, when the Lords, having been stirred up by Penn (320), at last pronounced their decision (456). But Penn seems to have attempted in his turn to encroach on New York about the Susquehannah, a proceeding which of course was much resented by Dongan (pp. 327, 328). In retaliation Penn appears to have spread a report that Dongan was about to be recalled, which irritated that energetic officer not a little, and led him to appeal to Whitehall for support (1158, 1159). There is nothing in Penn's character to render such action on his part incredible; and indeed Dongan speaks of his conduct as though he could prove the facts. With this, however, our information as to Pennsylvania is terminated.

Maryland. Its charter threatened.

In Maryland we take up anew the thread, dropped at the close of the previous volume, of the murder of the King's Revenue officer by the Deputy-Governor, George Talbot. The first news is of his escape from Virginia to Maryland, where he met with much sympathy, and resided publicly at his own house; his example tending apparently to encourage lawless proceedings towards the Collectors of the King's Revenue (82, 136). Talbot was, however, brought back to Virginia, tried and condemned; for he could plead nothing but that he was inflamed by passion and drink (671, 773). The capital penalty was however commuted by the King to banishment. For the rest Maryland seems to have gone on as usual, the minutes of Council presenting little of interest, though it should seem that the King had at one moment the intention of cancelling Baltimore's charter (632, 645), and actually gave orders for the writ of *quo warranto*, doubtless with the design of throwing this province also into the Government of New England.

Virginia. Quarrel of Governor and Assembly.

In Virginia, the first point of interest is a violent wrangle between the Governor and the Assembly on a constitutional point. The Governor wished to obtain a bill empowering himself and Council to raise a limited sum for expenses of government without further authority. The Assembly refused, wherein doubtless it could say much to justify itself, but then put itself into the wrong by refusing to admit the Governor's power to veto a bill which had been clandestinely garbled and altered from the draft bill as passed by both houses (467, 563). This behaviour drew upon the

Assembly the direct censure of the King (655, 800), who directed that it should be dissolved as a mark of his displeasure; nor can it be said that the reproof was wholly undeserved. The effect of this rebuke was, however, small. The Assembly was not to be so easily cured of its recalcitrance. Colonel Philip Ludwell, who had been driven from the Council after Bacon's rebellion but subsequently reinstated, took occasion to appoint Robert Beverley, an old firebrand who had been declared by the King to be incapable of holding any public employment, as his deputy in an important public post; and Lord Howard of Effingham wrote almost in despair of the prospect of getting any useful work done. It should seem indeed that the principle of thwarting the Governor, which brought so much misfortune on the Colonies sixty years later, was already a deep-seated disease in Virginia; and the monotony of blind obstruction and controversy makes the minutes of its Assembly a trial to any reader's patience. It is, however, refreshing to observe that Virginia perceived the vital importance of retaining a hold over the Five Nations; and, after some hesitation, agreed to furnish some assistance to New York (*see Index.* Dongan). It is instructive also to note how the vexatious restrictions of the Navigation Acts were rendered doubly irritating by the arbitrary and occasionally corrupt action of officers of the Royal Navy. The King's revenue-officers, as is shown by the murder of Rousby, were not popular, so that the Navy which upheld them could not be popular either; and though the Governor might strive to do justice to the Colonists with perfect loyalty and integrity, the task was, as Lord Howard of Effingham could prove, no easy one (1264, 1507, 1627).

CAROLINA. Indian slave-trade.

From Virginia I pass to Carolina, where we find the Colonists in collision with the Southern Indians (28). The trouble arose from the practice of carrying on a species of

Indian slave-trade, which the Lords Proprietors, for all their censures and injunctions, seemed powerless to check. Corruption and lawlessness in Carolina appear indeed to have been painfully rife. "Dealers in Indians boast that for a "bowl of punch they could get whom they would chosen for "the Parliament and the Grand Council. By this means "they have got Acts passed prohibiting the sale of arms to "Indians, which they caused to be observed by others but "themselves broke with impunity" (58, 59, 172). It was apparently the profitableness of this trade and the desire to encourage it that made the Colonists raise all kinds of constitutional objections to the orders of the Proprietors. The arguments which these objections drew from England strangely resemble certain that were put forward, with a different object, at the time of the American Revolution. "Do York or Bristol, in England, choose more than two "burgesses for Parliament? Are not there many boroughs "of ten houses that choose as many. The members for the "least city or borough have equal votes with the members "chosen by the greatest cities and largest counties; so there "is no reason why Colleton county, not having an equal "number of inhabitants, should not choose an equal number "of members." These arguments seem, however, to have been considered inconclusive, for we find a secession of members from the Parliament on constitutional grounds a little later (472), involving further energetic remonstrance from the Proprietors (1162). The complete history of this constitutional dispute will be found at No. 1962, but how far it is accurate it is not easy to decide, seeing that the statement is that of the injured party only. But it should seem that the Governors sent out from England were not without share of responsibility for many of the troubles, inasmuch as they violently resented the advent of a new Governor who, being also a proprietor, could exert more than ordinary authority.

Constitutional dispute.

A lawless community.

But indeed wherever we look we find some irregularity in the government of Carolina. The highest officials were not to be trusted. Pirates were encouraged and harboured by them (639, 1161); and it would appear that the orders of the Proprietors on almost every subject were ignored. Then, as if it were not enough to have irritated the Indians, the Colonists made a raid upon their Spanish neighbours, which of course led to reprisals and to international complications (1161, 1457). Finally, in Carolina, as elsewhere, the King's revenue-officers complained that the Navigation Acts could not be enforced owing to the partiality of juries (1204); and although the Proprietors denied the charge (1417), yet, as they of necessity relied on the accounts of their own officials, the denial cannot be accounted of great worth.

BERMUDA. General lawlessness.

From the Continent I pass to the Islands, and first to Bermuda. There the people continued in a state of anarchy; no regulations were observed, no orders obeyed, no government enforced. The Sheriff released prisoners; smuggling and wrecking went forward unchecked; and there was an inclination to reject the Commission of King James, as being that of a Papist. The general lawlessness was almost incredible, and the Governor was powerless. When he attempted to place the islands in a state of defence, two officers of Militia took possession of one of the forts and refused to give it up, one of whom sent the Governor the following message:—" These are to desire you to send some power " and mash [powder and match], for there is not two shouls " of power and no mash at all to defend the forts withal, " which is all from your servant to his power, WM. KEALE." The reader will probably admit that this is a true curiosity of military discipline (210, 212, 396, 399 V.). Not content with general insubordination, the people drew up articles of " enormous crimes " against the Governor, which he refuted clause by clause in a singularly wooden fashion (552). But indeed he seems to have stood in danger of his life, and to have been saved only by the opportune arrival of a pirate, Bartholomew Sharpe, in the harbour; the people having been greatly excited by the news of Monmouth's rebellion (532, 533, 596, 617). Finally, a man-of-war came in. Five of the ringleaders were put aboard her in irons, and after a long and cruel confinement, which was fatal to one of them, were delivered to the Lords of Trade (852, 918), who found no fault in them and ordered them to be released (1045). It is difficult amid the mass of conflicting evidence to discover the rights of the case, for the faculty of lying was demonstrably developed to high perfection in Bermuda; but, rightly or wrongly, Governor Cony was loathed in the Island, and there was no peace while he remained there. Still, on the evidence of Captain St. Loe, an upright officer of the Royal Navy, it seems likely that the Bermudians were a "mutinous, "turbulent, hypocritical people, wholly averse to kingly "government" (1533).

Harsh measures of the Governor.

New Governor appointed.

Meanwhile a successor to him had been appointed, in the person of Sir Robert Robinson (781), under whom the Islands seem to have settled down to almost suspicious repose (1216, 1217). A Chief Justice was also sent out, named Henry Hornesnell, who found little or nothing to employ him (1597), and seems to have spent most of his time in watching the new Governor and discovering corrupt practices on his part. These may have been imaginary, but were probably real, though it is hard to judge of accuracy or inaccuracy in a man who finds himself set down in a distant island with nothing whatever to do. He, however, secured one benefit for Bermuda, in the shape of the same freedom of trade as was accorded to other Colonies, before he obtained leave to return home. Sir Robert Robinson also resigned his office, and, wonderful to relate, Cony applied for and obtained reappointment to the Governorship (*see* their names in the index). At this point we take leave of Bermuda.

Barbados. Disgrace of Governor Sir R. Dutton.

Turning next to Barbados, our attention is first occupied by the persecution of Sir John Witham, the Lieutenant Governor, by Governor Sir Richard Dutton. The case was brought before the Lords of Trade in March 1685 (94, 95), and Witham seized the opportunity to make damaging counter-charges against Dutton (162). Dutton came home for the trial of the case, having first initiated a bitter quarrel with Edwyn Stede, whom he left in administration of the government (288), and after much exchange of angry recrimination between the two principals (308, 413, 414, 429), the Lords decided that Sir Richard Dutton's proceedings were altogether violent and malicious, being prompted by no other motive than that of depriving Sir John Witham of the half-salary due to him as Lieutenant Governor (439). Thereupon Witham was restored to all his offices, and Dutton, seeing himself worsted, admitted his faults and pleaded for pardon (448, 449). It is satisfactory to observe that this rogue of a Governor received short shrift and little mercy at the hands of the Lords of Trade (449, 454, 455), and that he was called to account for other misdoings during his term of office. (*See Index*, Dutton.)

Sir Timothy Thornhill.

Under the administration of Edwyn Stede, Barbados, though much afflicted by sickness and impoverished by short crops, seems to have to lived fairly happily. What the epidemic precisely may have been which was described in the doctors' certificates as "contagious bellyaike" 294, 871), must be left for experts to determine, but beyond doubt it caused great suffering and mortality. Stede was also not a little troubled by a young Councillor, Sir Timothy Thornhill, who had been appointed by Sir Richard Dutton to the post of Major-General for the express purpose of annoying the Deputy Governor. Thornhill, it appears, was a man of lewdness and debauchery, given to drinking, profaneness, and execrable swearing, and also a corrupter of youths by no means of the Socratic kind (1190). Stede, however, brought him to his bearings by trying him for gross misbehaviour and imposing a heavy fine, which, to the credit of the authorities at Whitehall, was confirmed. For the rest, the favourable answer of the King to a petition of the Quakers in the Island (742), and the imposition of an additional duty on sugar were matters which were not at all to the taste of the Colony (367); but, upon the whole, the internal condition of Barbados during this period calls for little remark.

Dispute with the French over St. Lucia.

Outside its own borders, however, the activity of the Governor was much exercised by a claim of the French to the sovereignty of St. Lucia and their occupation of that Island in 1685 (541). King James at once ordered English rights to St. Lucia to be vindicated by a man-of-war (603); and accordingly in May, Captain Temple, of H.M.S. Mary Rose, sailed thither, erected the Royal Arms of England, and ordered the French to leave the Island. This done, he proceeded to St. Vincent, where he was received with flights of arrows from the Caribs on the shore. The sailors opened fire with muskets, and having driven the Caribs into the jungle, pulled ashore with all haste to complete their punishment, but could not catch them. So they could but burn the huts, destroy the provision-grounds and return in great wrath, bringing with them a letter written by a French Jesuit, which they found at the door of one of the huts (871, XII.). The original of this document is the most interesting that I have encountered while preparing the present volume. It carries the reader to the coast of a shaggy, mountainous island, where naked Caribs line the scrap of beach by the jungle, shooting arrows furiously, with showers of abuse, at a boat in the offing. The boat is filled with angry Englishmen, tanned by salt, and sea, and wind, pulling their hardest through the blue tropic sea to the shore, while one or two in the bows watch their chance, as the boat rises and falls, to fire an effective shot. Everyone is angry and excited, except a single calm priest, who lies inside a hut on the beach, and with a pen perhaps cut from the shed feather of some sea-bird, and ink probably made from the soot of last night's camp-fire, writes on a scrap of paper a request that the English officer will spare his little hut as he must follow the flying Caribs to baptise the fatigued and dying. The boat draws nearer, the Caribs fly, the priest throws a handful of sand from the beach over the wet sheet and flies with them. And the English land to find nothing but the scrap of paper to show them that a devoted priest indeed, but also an active enemy of their countrymen in the West Indies, is busily stirring up the native savages against them. As in Canada, so in the Antilles, the Jesuits were among the most persistent and subtle of the enemies of the English.

The Governor of Martinique of course took umbrage at the action of H.M.S. "Mary Rose," and there ensued an angry correspondence between him and Stede as to the sovereignty of St. Lucia, St. Vincent, and Dominica. The English arms were torn down and re-erected; there was much drawing out of claims and counter-claims; and finally the matter came up before the Commissioners for the adjustment of differences, and was set at rest for a year by the Treaty of Neutrality, to be ultimately resolved many years later by war (997, 1032, 1191, 1272, 1441, 1571).

Tobago. Simultaneously a question cropped up as to the sovereignty of Tobago, which was claimed under an old agreement by the Duke of Courland, who now desired the help of the British in settling it. The question may be followed by the help of the index (Tobago), but it is of little interest. The English title to the Island is given in Nos. 1033, 1184 I.

Leeward Islands. **Death of Sir William Stapleton.** Turning next to the Leeward Islands we find Sir William Stapleton still in command at the opening of the reign; but by December he was in England (497), and in the following year he went to France to drink the waters, where he died (813). **His successor.** His successor was Sir Nathaniel Johnson, whose appointment was announced in August 1686; but there was long delay in sending him out, and it is not till March 1687 that we find him desiring instructions as to Sir William Stapleton's practice of firing at Frenchmen that refused to salute the British flag, and as to the encountering of Caribs armed and stirred up by the French for inroads upon the English Islands (1178). He did not reach his government until some months later, his first letter being dated August 1687, and meanwhile the administration was carried on by the Deputy-Governors of the several Islands. There is a curious petition of these worthies (498) for leave to accept presents from their Assemblies, on the ground that they were "at "continual charges for the entertainment of strangers and "others that resort to these Islands." Certainly the plea would be valid enough for Colonial Governors of the present day, but it is hard to believe that the West Indies were so much overrun by travellers two centuries ago.

Smuggling in high places. The pathetic appeal is endorsed "Nothing"; which may in part account for the fact that the Leeward Islands were hotbeds of smuggling, which the Deputy-Governors took no pains to check (1281). It is also remarkable that the Deputy-Governor of Nevis, Sir James Russell, quarrelled violently with an officer of the Royal Navy who attempted to put down this smuggling and to suppress piracy; and it is natural to infer,—indeed there is sufficient evidence to show,—that he at least made good the expense of entertaining travellers by illicit methods (1111, 1232, 1356). A more serious matter was a revolt of negroes in Antigua, which seems to have been threatened rather earlier in Nevis (557), The entries relating to it may be read in the Minutes of Council of Antigua, and are occasionally rather grim. "A "negro brought in who was proved to be in correspondence "with the runaway negroes and was expected to run away "and join them. Ordered that his leg be cut off." And a week later, there is reference to the negro George who had been guilty of mutinous behaviour on several occasions. "Ordered "that the negro George be burned to ashes" (1189, 1193). Thirty years later there was to be a more formidable revolt and even more hideous punishment.

Sir Nathaniel Johnson.

Sir Nathaniel Johnson seems to have been a painstaking man, though he was shocked, as Stapleton had been before him, over the condition of the two companies of regular troops that he found at St. Christopher's (1387). He seems to have gone very thoroughly into the system of government in the Islands and to have found incredible confusion in the administration of justice and in the titles of possession to land (1653, 1706, which he endeavoured to set right. But beyond a suggestion to settle the Virgin Islands and the transfer of the headquarters of the Government of Antigua (1773), there is little of interest in his despatches.

JAMAICA. Faction and disorder.

Lastly, I come to Jamaica, where Colonel Hender Molesworth was still administering the government in succession to Sir Thomas Lynch. From the first there was a faction, headed by one Roger Elletson and backed by the veteran privateer Sir Henry Morgan, which attempted to asperse the memory of Sir Thomas Lynch and to upset the policy initiated by him and continued by Molesworth (33, 57, 68, 128, 548). The trade in negroes with Spain, which is generally associated with the word Assiento, had proved very advantageous to Jamaica, and had been much encouraged by Lynch and supported by his successor; who, indeed, had pledged his credit to establish it, making, as his enterprise entitled him, a considerable profit out of it. The efforts of the hostile faction were therefore aimed much against this Spanish trade, of which, from Molesworth's interest in it, we hear a good deal (85, 193, 378, 549, 643).

The Maroons.

The same factious spirit presently shewed itself in the face of a more important matter. In August, 1685, the negroes, later known by the name of Maroons, broke into rebellion, and it was necessary to raise troops to suppress them—a matter of some difficulty, since they could take refuge in inaccessible strongholds in the mountains and would never stand to fight (299, 339). The operations were not very successful, and were therefore prolonged for a considerable time at a considerable expense (445, 560). When the Assembly met in June, 1686, the Lieutenant Governor appealed to it for payment of the different parties of troops, but he anticipated difficulties, as care had been taken to fill the House with obstructives (703, 731). His fears were realised. The factious opposition first evaded the question for as long as possible, then tried to raise the money first by an impost on the Assiento, and finally by an unjust tax on land, taking care always to spare themselves (754, 779, 839). Notwithstanding Molesworth's protests they refused to find the money or to save their compatriots from being murdered by the Maroons; and at length, in September, Molesworth dissolved them (879, 880). One of the disaffected party then offered to raise volunteers and suppress the rebellion, but as Molesworth had anticipated, with no better success than amounted to the "disturbing of a wasps' nest" (883, 965). It was therefore necessary to renew operations once more, which, after much exertion, reduced the rebel negroes to great distress, though not to absolute submission (1128, 1220). There was still a full century to elapse before the last should be heard of the Maroons.

Duke of Albemarle appointed Governor.

Meanwhile fresh difficulties were in store for Molesworth. Sir Philip Howard, who had been designated successor to Sir Thomas Lynch in the governorship, died before he could take up the appointment, and in July, 1686, Christopher, Duke of Albemarle, was nominated in his stead. How the factious party contrived to gain influence over this miserable son of the great George Monk does not appear ; but certain it is that he at once asked first for regular troops to suppress the rebellion, and next for power to reinstate Sir Henry Morgan and another of the malcontents in the Council, as well as for authority to draw half the salary and perquisites of the government from the date of Sir Philip Howard's death (759, 930). The troops were denied to him, but the half salary and perquisites were granted (1327, 1330), most unjustly and improperly, to the prejudice of Molesworth. The Lieutenant Governor protested, but to no purpose (1374), and returned an account of the perquisities to show how mean this application of a new rule was to his case. Albemarle, however, was anxious to make money, and besides this unfair grant of salary obtained also the gift of the King's share of treasure recovered from a wrecked treasure-ship off Hispaniola (*see Index*, Wreck).

His foolish and calamitous administration.

Towards the end of 1687 the new Governor arrived in the West Indies, and was received with special respect to his high rank. He inspected the local militia (1567), and on reaching Jamaica was thanked for his condescension in accepting the government. Taking the matter with all possible seriousness, he swore no fewer than three clerks to the council "for his great dignity" (1954), and then entered at once on a succession of follies. First he persecuted Molesworth by requiring of him gigantic security for payment of the dues on the wreck (1649), and then he calmly appointed Roger Elletson, the head of the factious party, and a man of bad character and antecedents, to be chief justice (1646). One of the assistant judges, refusing to serve under such a chief, was suspended from the Council without trial (1659), contrary to the Royal instructions. Simultaneously he assented to an Act for the defrauding of creditors by attaching fictitious value to coin, which no honest Governor should ever have looked at (1660).

Matters soon went from bad to worse. Sir Henry Morgan, though apparently at the point of death, was restored to the Council (1858); and by foul means an Assembly of the factious was elected, and Elletson chosen speaker. Then all went merrily for the rogues in the island. Elletson displaced all officers obnoxious to him, by fair means or foul, fined people right and left for imaginary offences, and so contrived to enrich himself, find places for his creatures, and release his friends from debt. In fine there were so many rascals in high places, that Jamaica might have been set down as in a state of revolution (1845, 1846, 1941).

His death: his acts reversed. Fortunately, in the midst of all the trouble the Duke died, chiefly it seems of drink; and the whole of his proceedings were instantly discovered and reversed (1940, 1943). This act must have been one of the last official decisions of James before his flight; and certainly it was eminently a right one. How Albemarle was allowed to take up so important a post is a mystery, for he seems to have been well known for a fool. He proposed to resettle the Bahamas, to which the English were now returning after the sack of New Providence, and to make it profitable if it were granted to him for ninety years. "Your Grace does "not tell us how you will make it profitable, nor how "profitable you will make it," wrote the proprietors drily, "which are things that should first be known" (1835). Altogether his reign in Jamaica was a great disgrace.

GENERAL. Duties on sugar and tobacco. It remains to deal with a few general points concerning the Colonial possessions at large. The first to be considered is the new duty laid on sugar and tobacco by Act of Parliament in 1685 (253). This enactment raised a howl in the Colonies concerned, and elicited from Barbados some very curious statistics as to the cost of raising sugar, and the profit on the crop (367 I.). Virginia also addressed the

King for exemption (450); but the Commissioners of Customs dismissed both addresses with the comment that there was nothing therein that they had not heard already many times from merchants in London. Still the Colonists refused to believe that the burden of the impost would fall on the retailer "consumptioner or storekeeper," and not on the planter, as the King's circular had assured them. Another curious economic detail will be found at Nos. 559 and 676, when there was a proposal to establish a cotton manufactory in Jamaica, which was disposed of, in essence, by the curt remark, "the more such manufactures are "encouraged in the Colonies, the less they will be dependent "on England." This of course was in accordance with the approved principles of Colonial policy at the time, and must not be too harshly judged.

Irish trade. A still more important aspect of the same question is presented to view by the complaint of the Irish Commissioners of Revenue against the exclusion of Ireland from the freedom of trade which she had formerly enjoyed with the Colonies. The case for Ireland was put with great force (No. 567), and supported by the Lord Lieutenant of Ireland with tact and statesmanship. "If," he wrote, "I can propose anything for "the enriching of this wonderful and improvable country "without prejudice to England or the King's revenue there, "I hold it my duty to support it" (599). The English Commissioners of Customs, however, viewed the proposal with disfavour, though the whole gist of their arguments may be summed up in a single sentence. "The position of Ireland "and the cheapness of provisions therein are great advan-"tages to the Irish merchants, so much so that if they were "allowed to trade on equal terms with English merchants "they would probably rob this kingdom in great measure "of this flourishing trade" (613). The Irish Commissioners retorted by a second able statement of their case, but were unable to resist making reflections on the management of the

Customs in England (638); whereupon the Commissioners of Customs closed the controversy abruptly by a simple reiteration of their former opinion (670). The correspondence is in many ways instructive.

Piracy.

Another matter which calls for special attention in the present volume is the effort of King James to suppress piracy in the Caribbean seas. The documents referring to pirates are very numerous, and may be traced under the heading Privateers in the Index, but there are some few that are of peculiar interest. In 1685 a body of privateers established themselves in an Island off Panama, and for a time defied the efforts of the Spaniards to oust them (67, 148). The alarm was great; and Governor Molesworth of Jamaica apprehended that the injury would not be confined to Spain, but would extend to the trade of all Europe. Such, too, was the opinion of one of the pirates themselves, who by his own account had been drawn into evil courses by sheer force of circumstances. His letter is remarkable, and contains passages of singular pathos, for he is sick of the work and yet attracted by the glory of following, howsoever remotely, in the footsteps of Drake. "If we have success "against the Spanish fleet we shall make a desperate alarm "all Europe over. I have some money, which I wish were "with you for my wife. I shall, with God's help, do things "which (were it with my Prince's leave) would make her a "lady; but now I cannot tell but it may bring me to a "halter. . . . . Pray present my faithful love to my "dear wife and tell her that she is ever in my mind" (87). The subsequent adventures of this body of pirates will be found at No. 805 I.

The most remorseless enemy of pirates in the West Indies was Molesworth, who never saw a happier day than that in which H.M.S. "Drake" sailed into Port Royal with four famous offenders swinging at her yard-arm (1127). He seems to have foreseen the possibility of Spanish retaliation in kind; and he was justified by the rise of a fleet of sea-robbers, known by the name of Biscayaners. These ships held Spanish commissions and attacked British ships, down to the humblest fishing boat, and British possessions with such relentless inhumanity that King James authorised the Duke of Albemarle to suppress them, albeit they held Spanish commissions, by force (*see* 678, 1406, 1959). The pursuit of one such pirate brought Captain St. Loe, of H.M.S. "Dartmouth," into an extremely critical position at Porto Rico. The account may still be read of his sailing from the port with a light wind, and of his final escape, after enduring for two hours the fire of more than a hundred guns, with his ship riddled with balls, fifty shot through her foresail, and most of her running rigging shot away (678, V.—IX.). Curiously enough, one of the most prominent of the pirates owning allegiance to Spain was an Englishman named John Bear, who sailed into Havanna, and gave out that his wife was a noble woman who had run away with him. The guns of the Castle were fired as a salute to her, and the Governor and all the grandees attended the wedding. "The "nobleman's daughter," wrote Molesworth, with an indignation that dulled his sense of the ridiculous, "is a strumpet "that he used to carry with him in man's apparel, and is "the daughter of a rum-punch-woman in Port Royal" (1382.) We are not informed as to the feelings of the grandees of Havanna when they learned the true rank of this distinguished couple.

Commission for suppression of piracy.

In other Islands, as has already been told, some of the English Governors showed suspicious tenderness for pirates (1356); and this fact may have prompted the King in commissioning Sir Robert Holmes to sail with a squadron for the total suppression of piracy, and in granting him all profits that should be earned by the venture (1411, 1602). It is worthy of notice that the faction which obtained the upper hand in Jamaica under the Duke of Albemarle was the reverse of zealous in support of Holmes (1865), which gives fresh proof of its character for rascality and corruption.

Military and Naval matters.

As to the British army, there is comparatively little of interest in this volume, beyond the establishment of regular troops in Boston as well as New York, on the reconstitution of the garrison companies in the Leeward Islands (1742). As to the Navy, allusion has already been made to such features as called for remark. The misbehaviour of captains in using the Acts of Navigation as a means of levying blackmail may be studied by reference to the names of Captains Allen and Crofts in the index, and in particular to Nos. 1264, 1627 XIX., which documents throw a curious light on the occurrences which were possible in those days on a man-of-war. Lord Howard of Effingham was not at first loyally supported at home in his endeavours to suppress their discreditable practices; and, indeed, nothing is more striking than the contempt wherein Colonial Governors were held by officers of the Royal Navy. This is not difficult to explain, for a man with a disciplined force at his back must always feel that he is master of the situation; and there can be no doubt that even now the Admiral on a colonial station is reckoned by the colonists a far greater man than any Governor. Still matters must have gone rather far when a Governor could make such a report as the following: "Not long since, "Captain Allen's mistress or ward was delivered of a son on "board his ship, whereby he was so elevated that he sent me "word next day that he had a son and heir, which was "presently christened with great solemnity." The lawful wife of another captain drove the crew to mutiny by throwing the fire of the hearth on the cabin floor whenever she quarrelled with her husband.

Colonial administration under King James.

For the rest it must be observed that under the superintendence of so capable an administrator as King James colonial business was handled at Whitehall with an energy and swiftness hitherto altogether unknown. The reconstitution of the northern colonies of America was in itself no light task, and the sudden outburst of activity in French encroachment made this short reign a period of ceaseless anxiety and trouble. Yet the difficulties were manfully faced; and Dongan, the most efficient of the English governors, was well and loyally supported. The appointment of the Duke of Albemarle to Jamaica was a great blot indeed in the management of the Colonies, but his misdeeds were no sooner known than every one of his measures was cancelled. From many points of view, indeed, it is a pity that King James' reign was so short, or we might be able to form a sounder judgment on his experiments in colonial administration. Nor is it possible without a certain feeling of pity to contemplate the reports of the rejoicings over the King's birthday, and, still more, over the birth of the child afterwards known as the Old Pretender. There is a curious picture of old Jamaica, on the 14th of October, 1686. "The Governor entertained all the principal gentle-"men and officers with a very sumptuous dinner; and in the "evening the Governor's lady being waited upon by all the "gentlewomen of quality, gave them a very fine treat, and "afterwards entertained them at a ball composed of a suit-"able number of masqueraders, very curiously habited, and "variety of music, all managed with that admirable order as "gave great beauty and grace to it. They continued dancing "very late, but the streets shone with bonfires to light them "home (981)." Or take the picture of old Barbados at No. 1876, III.,—the Governor drinking seven royal healths in two central places, in honour of the birth of the Prince of Wales, amid regimental volleys from the foot guards and universal acclamation of huzzas; and then as a climax "a "most magnificent entertainment such as the present state of "the West Indies never saw, and the future will admire. At "the head of every company was set a quarter cask of wine, "meat and bread and all necessaries for two thousand people, "besides five hundred gentlemen at one table of two "hundred and fifty feet in length, who were also entertained "at the Governor's expense. The ladies and other persons "of quality had also a splendid entertainment of sweetmeats, "the best that Europe and the West Indies afforded. At last "a bonfire to a stupendous height being erected at the Court "gate, the Governor, as a fresh pattern of loyalty, again "drank the whole Royal Family's health, the whole island "with guns, fireworks, and voices echoing after him, God "Save the King and the Royal Family." Not the least interesting feature of the next volume will be the study of these patterns of loyalty on the accession of William of Orange.

J. W. FORTESCUE.

COLONIAL PAPERS,

AMERICA AND WEST INDIES.

1685.

1685.
Feb. 6. **1**. Circular. Lords of Trade and Plantations to the Governors of the Colonies. Reporting death of King Charles II., and directing the proclamation of King James II. Proclamations for that purpose, and for continuance of officers in their places, enclosed. [*Col. Entry Bk., Vol. XCVII., p.* 121.]

2. The circular as sent to Jamaica was signed—W. Cant., Beaufort, Huntingdon, Clarendon, Dartmouth, Guilford, Halifax, Bridgewater, Peterborough, Rochester, Chesterfield, Aylesbury, Middleton, J. Ernle, L. Jenkins. [*Col. Entry Bk., Vol. XXX., pp.* 298-299.]

Feb. 6. **3**. Proclamation of King James the Second as King. Printed forms filled up for the following Colonies:—Jamaica, Barbados, St. Christopher's, Antigua, Nevis, Montserrat, Bermuda, Virginia, Maryland, New Plymouth, New Hampshire, New York, Pennsylvania, East and West New Jersey. [*Col. Papers, Vol. LV., Nos.* 11-25.]

Feb. 6. **4**. Proclamation for the continuance of all officers in their places. *Col. Entry Bk., Vol XCVII., pp.* 123-125.]

Feb. 7.
Whitehall. **5**. Order of the Privy Council. That no ship suspected to be bound for the Plantations, that shall not give good security not to sail thither, shall be permitted to leave the Downs on the river. [*Col. Entry Bk., Vol. XCVII., p.* 127.]

Feb. 9.
Whitehall. **6**. Order of the King in Council. That a ketch or advice-boat be made ready to carry the proclamation of King James II. to the Plantations. [*Col. Entry Bk., Vol. XCVII., p.* 128.]

Feb. 12. **7**. Lord Baltimore's receipt for the Council's letter of 6th February and the Proclamation. *Holograph. Signed,* C. Baltemore. $\frac{1}{4}$ *p. Endorsed.* [*Col. Papers, Vol. LV., No.* 26.]

Feb. 12.
Nevis. **8**. The Clerk of Assembly of Nevis to Lords of Trade and Plantations. Forwarding duplicates of the transactions to date. *Signed,* Tho. Thorne. $\frac{1}{2}$ *p. Endorsed.* Recd. 9 May, '85. [*Col. Papers, Vol. LV., No.* 27, and *Col. Entry Bk., Vol. XLVII., p.* 185.]

1685.
Feb. 12. **9.** Memorandum of the despatch of the letter of 6th February, with the proclamation of King James's Accession, to Connecticut, New Plymouth, Rhode Island, New York, New Hampshire, Virginia, and Massachussetts. [*Col. Entry Bk., Vol. LXI., pp.* 219-221.]

Feb. 13.
New York. **10.** Governor Dongan to the Earl of Perth. I am mightily surprised to find by a letter from you and other proprietors of East Jersey that I am accused of acting to the disadvantage of your Colony and to the dishonour of my master. Did I know my crime and accusers I should be better able to answer. Believe me, I have acted nothing unjustly to your Agent or your people, so far from it that, when I thought they were taking wrong measures, I advised them for the best, as I thought, both of the proprietors and the people. What they complain of in me I know not, but I am sure that the people cry out very much against them. What I wrote to His Royal Highness I was obliged to write in the interest of the province. Were you in my place, you would understand the inconvenience of having two Governments on one river, yours having the advantage of being some leagues nearer the sea than ours. Your Agents have dispersed printed papers, to the disturbance of the inhabitants of Staten Island. It has been in the Duke's possession over twenty years (except the little time when the Dutch had it), having been purchased by Governor Lovelace from the Indians in the time of Sir George Carteret. No pretence was ever made till your Agents claimed it. It is peopled by above two hundred families. To convince you that I have done nothing amiss in writing that it would be convenient to regain New Jersey, I assure you that some of the proprietors themselves are of the same opinion, and have told me so. Again, under other Governors, ships that came to Amboy made entry at New York, but I have desired no such thing, nor will I till I am assured of the Duke's pleasure. It shall not be my fault if there be not an advantageous correspondence between us. *Signed*, Tho. Dongan. I had almost forgotten to tell you that, to preserve a good correspondence between the Governments, the Assembly had lately passed an Act allowing almost equal privileges with this province to East Jersey. 1½ *pp. Endorsed.* Recd. 1 April 85. *Printed in New York Documents III.*, 353. [*Col. Papers, Vol. LV., No.* 28.]

Feb. 13. **11.** Receipt for a packet addressed to William Penn. *Signed*, Wm. Markham. *Scrap. Endorsed.* [*Col. Papers, Vol. LV., No.* 29.]

Feb. 13. **12.** Receipt for two letters to the Governors of East and West Jersey, enclosing proclamations. *Signed*, E. Byllynge. ½ *p. Endorsed.* [*Col. Papers, Vol. LV., No.* 30.]

Feb. 13. **13**. Order of the King in Council. To take off the embargo laid on vessels bound to the Plantations (*see No.* 5). [*Col. Entry Bk., Vol. XCVII., p.* 129.]

1685.
[Feb.] **14.** Royal Warrant for the continuance of the existing seals in the Colonies, pending preparation of new seals. [*Col. Entry Bk., Vol. XCVII.*, p. 129.]

Feb. 15. **15.** The foregoing warrant as addressed to Lieutenant-Governor Molesworth, Jamaica. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XXX., p.* 299.]

Feb. 15. **16.** The same to Governor Lord Howard of Effingham, Virginia. [*Col. Entry Bk., Vol. LXXXII., p.* 317.]

Feb. 15. Antigua. **17.** Governor Sir William Stapleton to Lords of Trade and Plantations. I am just arrived from the Virgin Islands, where I met an English sloop taken by a Spanish barcoluengo, eight men in her and one killed. Both vessels were fitted to take our vessels and negroes at Tortola. I have sent to demand satisfaction from the Governors of Porto Rico and Hispaniola. In the latter there is a galley or bark fitting out for the like purpose by our friends and allies, while the King prohibits such practices to his subjects abroad. Having no reply from the Governors yet, I can tell you no more. *Signed,* Wm. Stapleton. *Holograph.* 1 *p. Endorsed.* Recd. 22 April 1685. [*Col. Papers, Vol. LV., No.* 31, and *Col. Entry Bk., Vol. XLVII., p.* 183.]

Feb. 16. Whitehall. **18.** Lords Proprietors of Carolina to Joseph West, Governor of Carolina. Reporting the death of King Charles II., and ordering King James II. to be proclaimed, and all officers to be confirmed in their places. *Signed,* Craven, Bath (for Lord Carteret), P. Colleton. A similar letter was sent to Albemarle. [*Col. Entry Bk., Vol. XXII., p.* 41.]

Feb. 16. **19.** The same to the same. Being convinced that Charlestown is, from its situation, unhealthy in the hot months, we order that the Courts there held be adjourned from the 10th June. If it be necessary to hold a court, you will convene it at London, or some place at the head of Ashley River, for it is unreasonable to summon men to a place where (as we hear) there is no wholesome water, and whence where they are sure to return sick. You will advise all new comers to settle far up from the sea, for so low and watery a situation as Charlestown and the coast of Carolina has never been proved healthy in any part of the world. *Signed as the preceding.* [*Ibid., p.* 42.]

Feb. 17. **20.** Warrant to William Hilton, Provost Marshal, to buy in the estate of William Vaughan, for a debt decreed against him in Chancery. *Signed,* Richard Chamberlain. 26 September, 1684. *Copy.* ½ *p. Endorsed,* with the receipt for the sum to be levied. *Signed,* Thomas Thurton. 17 February, 1684-5. *Inscribed.* Read 4 Dec. 86. [*Col. Papers, Vol. LV., No.* 32.]

Feb. 17. **21.** Minutes of Council of Barbados. George Hannay's petition, that the authority under which he detains Sir John Witham in custody is insufficient to protect him against an action for false

1685.

imprisonment. The Council decided that the authority was sufficient. £200 granted to Benjamin Dwight on account for expenses of last Sessions. Ordered that the information brought against Thomas Doxcey in Sir John Witham's time be proceeded with. Adjourned to 13 March. [*Col. Entry Bk., Vol. XI., pp.* 576-578.]

Feb. 17. **22.** List of writings received from Sir John Werden concerning New York. The Duke's charter of franchises and privileges, three Acts and nine Bills. *Draft receipt unsigned.* 1 *p.* [*Col. Papers, Vol. LV., No.* 33, *and Col. Entry Bk., Vol. LXVIII., pp.* 61, 62.]

Feb. 18. New York. **23.** Governor Dongan to Sir John Werden. I send enclosed the Act of Assembly, which I hope will answer satisfactorily the first clause in your letter of 26 August. We went so far in the fishing as to subscribe 2,500*l.* and but 100*l.* in the name of the Duke. The project has been ruined by a report from Boston and Pennsylvania that this country was sold to a Colonel Thompson. The ship desired need have been no larger than of 70 or 80 tons burthen, being designed to run constantly between this and Ireland, and bring passengers hither. Their passages, being paid, would have cost the Duke nothing. You say I may set up a post-house, but send me no power to do it. I never intended it to be expensive to the Duke. It was desired by some of the neighbouring Colonies, and is at present practised in some places by horse- and foot-messengers. I go to-morrow to Connecticut with the gentleman who adjusted the limits, to have them signed by the Governor and myself. Please send the articles of agreement which I sent for the approval of the King and the Duke. I shall do all I can to settle a Post-office there, and if I can shall go to Pemaquid this spring, and try to settle a post-house at Boston. As for the garden, I believe no Governor will make use of it, being remote from the post, and of no use except for tenements. The house is on the other side of the town, an alehouse, much out of repair. Since I am to have it I am well content; I hope the farm will not be refused, being but 10*l.* a year, and a long lease, granted to Sir Edmund Andros. I shall do my best to get a good tenant for the other two houses, though some mistrust the title. Billop's plantation is opposite to Amboy, and if vessels be allowed to come there, and not enter at New York, it will be impossible to prevent goods from being landed at Staten Island. It was reported that he intended to sell it to one of East Jersey. Please look into the last patent of East Jersey to see whether shipping coming into Sandy Hook be compelled to enter at New York. The continual pretences of the Quakers to Staten Island disturb the people, who are more than two hundred families. As for the mint, I submit it to your judgments. There is no way to prevent the Indians' trade with New Jersey, but by running the line from Hudson's River to the Delaware, and arranging that the Indians shall not cross the bounds of New Jersey, which are already settled on the Hudson. I expect a dispute with Boston about the lands between Connecticut and

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the Hudson. They claim all along to the South Sea, as Connecticut did. If any Colony will flourish, it is this; and I believe in ending disputes rather than delaying them. Pray further my request to Lord Rochester that I may pay my debts in London. My humble service to your good father. *Signed*, Tho. Dongan. Lord Perth has sent me an angry letter: please forward my answer to him. *Holograph.* 3 *pp.* *Endorsed*, Recd. 1 April. Read 1 May, 85. *Printed in New York Documents, III.*, 355. [*Col. Papers, Vol. LV.*, *No.* 34, *and Col. Entry Bk.*, *Vol. LXVIII.*, *pp.* 63-67.]

Feb. 18. **24.** Order for the attachment of the estate of Sir John Witham. *Signed*, Edwyn Stede. *Copy.* 1¼ *pp.* *Endorsed.* [*Col. Papers, Vol. LV.*, *No.* 35.]

Feb. 20. Whitehall. **25.** Order of the King in Council. Referring the petition of Walter Stephens and others to Lords of Trade and Plantations for report. *Signed*, John Nicholas. ½ *p.* *Annexed.*

25. I. Petition of Walter Stephens and others to the King. We are creditors of Ralph Moxon and James Holloway, who became bankrupts in June, 1683. The greater part of their effects are in Antigua and Barbados, where the factors decline to deliver them, or come to any account thereof, pleading that they are the King's by forfeiture, Holloway having been executed for treason. We beg your order to the Governors for assignment of the effects to us, pursuant to a commission of bankruptcy. *Copy.* 1¼ *pp.* *The whole endorsed*, Recd. and read, 23 Feb. 1684-5. [*Col. Papers, Vol. LV.*, *No.* 36, 36I., and *Col. Entry Bk.*, *Vol. XCVII.*, *pp.* 167-168.]

Feb. 20. Virginia. **26.** Governor Lord Howard of Effingham to the King. My own thanks for your gracious acceptance of my service, and the Colony's for the bestowal of the quit-rents on the inhabitants. I entreat that those under Lord Culpeper's proprietorship may share in this bounty. I beg also for consideration of the fact that my wife and family came out in a merchant-ship, saving you the expense of a man-of-war. *Signed*, Effingham. *Holograph.* 2 *pp.* *Endorsed.* [*Col. Papers, Vol. LV.*, *No.* 37.]

Feb. 20. **27.** Commission from Lords Proprietors of Carolina to Robert Quarry. To be Receiver General of the Province of Carolina, South and West of Cape Fear. *Signed*, Craven, Bath (for Lord Carteret), Albemarle. [*Col. Entry Bk.*, *Vol. XXII.*, *p.* 43.]

Feb. 21. St. Helene. [Carolina.] **28.** Caleb Westbrooke to [Deputy-Governor Godfrey ?] I fear it is too true that since I wrote at Amecaraw on the Westo River a thousand or more Yamasees are come down daily from the Cowetaws and Kusectaws, with whom they used to live. More are expected, and ten Cassiquas [caciques] with them. This day the Aratomahaw and other Indians are gone with canoes to bring them hither, besides three nations of the Spanish Indians that are Christians, Sapella, Soho, and Sapickays. Of the latter, some are already come to Aratomahaw's house. I intend to go in a few days to Amecaraw to find out the truth, and will endeavour to stop them till I hear from you, but I fear they may be too many for us this time, for it may be a design of the Spaniards. It concerns me to know if evil is designed, for I am the first man that must feel it. I shall report to you on my return. Aratomahaw often told me that the Island on which they were would be full, and that they should want land to plant upon. I informed Lord Cardross of it, and advised that they might be put on Hilton's Island head, to be an outguard to us, and he was content. Aratomahaw told me that this would be full too, but little thought of this quantity. I have not heard from my lord whether the Indians have taken the Spaniards or not. I learn to-day that Aratomahaw and two Kussecaes [caciques] of the Yamasee tribe are gone to Amecaraw, stay three days, and then advance against their enemies, the Timechoes, who are the Spaniards' friends. Most of the Yamasees that came first are left behind with their wives and children, so I hope they have no correspondence with the Spaniards (*see No.* 83). [*Col. Entry Bk., Vol. XXI., p.* 142.]

Feb. 23. **29.** Journal of Lords of Trade and Plantations. Petition of the creditors of James Holloway read (*see No.* 25). A copy sent to the Attorney-General.

Lord Sunderland delivered a copy of articles preferred against Governor Cony by William Milbourn and William Righton, also Colonel Cony's letter of 21 October to Lord Nottingham (*see preceding volume*). Agreed to represent the whole matter to the King.

Draft report touching Mr. Rousby's murder read.

Colonel Molesworth's letters of 15th and 18th November read (*see preceding volume*). The matter to be brought up when Captain Phipps returns to England.

The Lords recommend that the commissions to Governors of Plantations be renewed, with such alterations as have been agreed on. All Councillors in the Leeward Islands to be henceforth appointed by the King's Warrant. Memorandum of letters despatched. [*Col. Entry Bk., Vol. CVIII., pp.* 93-98.]

Feb. 25. **30.** Journal of Lords of Trade and Plantations. Draft report respecting Bermuda read (*see No.* 35). Memorandum of letters sent. [*Col. Entry Bk., Vol. CVIII., pp.* 98, 99.]

Feb. 25.
Whitehall. **31.** Order of the King in Council. Approving the report of the Lords of Trade and Plantations in the murder of Christopher Rousby (*see preceding volume*), and ordering the recommendations therein to be executed. [*Col. Entry Bk., Vol. LII., p.* 90-93.]

Feb. 25. **32.** Order of the King in Council. For Lord Treasurer Rochester to appoint a successor to Christopher Rousby as Collector in Maryland. [*Col. Entry Bk., Vol. LII., p.* 94.]

Feb. 25. **33.** Minutes of Council of Jamaica. Colonel Freeman sworn of the Council. Thomas Ryves, on producing his deputation and securities, was ordered to be admitted as Receiver General from 25 March next, when Charles Penhallow shall render full account

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of the profits of the office during his tenure. Order for the work in the prison to be carried forward with all convenient speed. Order for payment of salaries. Penhallow's accounts presented and entered in the minutes. The question of embezzlement of piratical goods was brought forward. Judge White deposed that he knew no more than appeared in the records of the Admiralty Court. Reginald Wilson presented the accounts of piratical goods. Roger Elletson deposed that if people would swear to what they had told him, he could prove considerable embezzlement by Sir Thomas Lynch. The Council granted him fourteen days to collect evidence, and gave him access to the records. Adjourned to 11 March. [*Col. Entry Bk., Vol. XXXVI., pp.* 62-68.]

[Feb. 26.] **34.** Petition of Nathaniel Weare to Lords of Trade and Plantations. For an early hearing of his charges against Governor Cranfield. 1 *p. Endorsed.* Recd. 26 Feb. 84-5. [*Col. Papers, Vol. LV., No.* 38, and *Col. Entry Bk., Vol. LXVII., p.* 137.]

Feb. 27.
Whitehall. **35.** Order of the King in Council. Report of Lords of Trade and Plantations. We have read Colonel Richard Cony's letter describing various disturbances and sundry articles drawn up by William Milbourn and William Righton against the said Colonel Cony. We recommend that a letter be sent to Colonel Cony with copies of the articles, directing him to answer them, and that all persons have liberty to give depositions on oath concerning him and the Government of Bermuda, that both parties have access to the records, and that they deliver their documents in evidence interchangeably to each other. We recommend further that a Commission and Instructions be sent to Colonel Cony, also that a man-of-war be directed to call at Bermuda and stay there to render assistance to the Government. *Dated* 25 February, 1685. Ordered accordingly. [*Col. Entry Bk., Vol. XVII., pp.* 123-129.]

[Feb. 27.] **36.** Petition of Sarah Bland, St. Leger Codd, and Thomas Povey to Lords of Trade and Plantations. We appealed from decisions in the Courts of Virginia, which appeal was referred to you by Order in Council of 19 November last. We have since agreed to refer our difficulties to arbitration, with a condition to lay the matter before the King if undecided. We beg orders to the Governor of Virginia accordingly. *Signed,* Sarah Bland, Tho. Povey, St. Leger Codd. 1 *p. Inscribed.* Recd. 27 Feb. 1684-5. Read 10 Mar. [*Col. Papers, Vol. LV., No.* 39, *and Col. Entry Bk., Vol. LXXXII., pp.* 321-322.]

Feb. 28. **37.** Journal of Lords of Trade and Plantations. The laws of New York considered. The Charter to be compared with the Commissions by which the Government of other Colonies is settled. Members of the late Company of Bermuda ordered to attend respecting the appointment of a Council for the Islands. [*Col. Entry Bk., Vol. CVIII., p.* 160.]

Feb. 28. **38.** Journal of Assembly of Nevis. The Assembly proposed that the accounts be adjusted and presented by the Treasurer on 10 March. The Governor and Council assented. [*Col. Papers, Vol. LV., No.* 40.]

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Feb. 28. **39**. Journal of Assembly of Nevis, from February 28 1685 to 27 June 1685. 6 *pp.* *Duplicate.* *Endorsed.* Recd. 2 Nov. 1685. *Col. Papers, Vol. LV., No.* 41.]

[Feb. after 6th.] **40**. Petition of the Creditors of the Bermuda Company, to Lords of Trade and Plantations. The Company is ready to execute the King's Order of January 14th (*see preceding volume*). We therefore beg that the necessary directions may be given to the Attorney-General. 1 *p.* [*Col. Papers, Vol. LV., No.* 42.]

March 1. **41**. A list of Councillors chosen by the Somers Islands Company at the last election. *Endorsed.* Recd. from Mr. Tucker 1 Mar. 84-5. [*Col. Papers, Vol. LV., No.* 43.]

March 3. **42**. Journal of Lords of Trade and Plantations. Charter of New York considered. The Government to be assimilated to that of New England. Letters to be written accordingly to Governor Dongan.

The business of Bermuda. Colonel Cony to send a list of a Council.

A memorial of Sir Philip Howard for stores read (*see next abstract*). [*Col. Entry Bk., Vol. CVIII., pp.* 101-103.]

[March 3.] **43**. Memorandum by Sir Philip Howard for the Earl of Sunderland. Enclosing a list of arms, ammunition, and military stores required for Jamaica, value 2,202*l.* The Ordnance Office has always provided Jamaica with stores for the forts, which are now the more important since the Spaniards, since the capture of Providence, are threatening Jamaica. There is no fund nor provision for these things in the Island. 2 *pp.* *Imperfect.* *Endorsed.* Read 3rd and 14th March 1684-5. [*Col. Papers, Vol. LV., No.* 44.]

[March 5.] **44**. The King to the Governor of New York. Intimating that the province is now part of the Royal dominions. All officers are to be continued in their places, and subjects to be assured that the Bills and Addresses lately received by the Assembly shall receive gracious and suitable return. *Draft.* *In the handwriting of William Bridgeman, with several corrections.* 2½ *pp.* *Printed in New York Documents III.*, 360. [*Col. Papers, Vol. LV., No.* 45, *Col. Entry Bk., Vol. LXVIII., p.* 60.]

March 5. **45**. Lords of Trade and Plantations to Governor Dongan. Reporting the death of King Charles II. and the devolution of New York upon the Crown, and forwarding the usual proclamations. *Signed*, W. Cant., Guilford, Rochester, Halifax, Clarendon, Beaufort, Arlington, Huntingdon, Sunderland, Bath, Peterboro, Bridgewater, Ailesbury, Middleton, Craven. *Printed in New York Documents III.*, 359. [*Col. Entry Bk., Vol. LXVIII., p.* 59, and *Col. Papers, Vol. LV., No.* 46.]

March 9. Barbados. **46**. An Act to raise a sum of money to farm the duty of four and a half per cent. upon commodities of the produce of this country exported this Island. *Copy.* 4 *pp.* *Endorsed*, *Attached*,

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46. I. Extract from a letter from the Commissioners of the four and a half per cent. duty in Barbados to the Commissioners of Customs. We hope by the measures which we have taken that we have made this revenue greater than ever was thought possible. We do not doubt that this year, although the first of our being concerned therein, will see it worth from eight to ten thousand pounds, without any unfitting or unlawful exactions from the inhabitants. If peace and prosperity continue, we shall bring it to a settled revenue of the same amount. *Dated*, 31 March 1685. *Copy.* ½ *p.* [*Col. Papers, Vol. LV., Nos.* 47, 47 I.]

March 9. **47.** Minutes of Council and Assembly of St. Christopher's. Proposals of the Governor and Council. 1. For an Act for an impost on imported liquors, and licences of 2,400 lbs. of sugar upon retailers of wine, and 600 lbs. of sugar on rum-sellers. 2. For a joint Committee to draw up an account of such matters as shall be proposed to the King on behalf of the Island. Answer of the Assembly:—1. Refused. Referred to Act of 12 October last. 2. Agreed to, and two members chosen. Proposed by the Assembly, that an order be issued for the observance of the Act of Trade and Navigation by all officers civil and military. Answered, that such an order has already been published. *Endorsed.* Recd. 25 May 1685. [*Col. Papers, Vol. LV., No.* 48.]

March 9. Treasury Chamber. **48.** Henry Guy to William Blathwayt. Reporting the arrival of a ship from New England, said to contain part of the goods taken in La Trompeuse. *Signed*, Hen. Guy. 1 *p.* [*Col. Papers, Vol. LV., No.* 49.]

March 10. **49.** Journal of Lords of Trade and Plantations. Petition of Nathaniel Weare read, asking for an early hearing of the case against Governor Cranfield. Agreed to appoint a time at next meeting.

Petition of Sarah Bland read (*see No.* 36). Agreed to remit the business to Lord Howard of Effingham. Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 103-107.]

March 10. **50.** Minute of the Attorney-General's report on the laws of New England. All Laws of Government in force. Power to make laws not only as a Corporation, but local laws. Their children to have the freedom of English. Local laws to be continued, so far as agreeable to laws of England. Their laws enact that no man's goods shall be taken from him without a General Assembly. The assessment to be by General Assembly. *Similar incoherent notes. Copy.* 1 *p. Endorsed as headed.* [*Col. Papers, Vol. LV., No.* 50.]

March 10. **51.** Minutes of Council of Virginia. Order for Captain Allen, H.M.S. Quaker, to cruise in search of privateers who have lately robbed inhabitants of Isle of Wight. Secretary Spencer to write to the Governor of Carolina, in case the privateers shall have sailed thither. [*Col. Entry Bk., Vol. LXXXIV., pp.* 209-210.]

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March 10. Barbados. **52**. Return by the Provost Marshal of the goods of Sir John Witham, whereon he made levy for the fine of five thousand pounds imposed on him. *Signed*, George Hannay. *Copy*. 2¼ *pp*. *Endorsed*. [*Col. Papers, Vol. LV., No.* 51.]

March 11. **53**. Minutes of Council of Jamaica. Embezzlement of piratical goods considered. Judge White repeated his former evidence. Colonel Fuller declared that he had seen the jewels said to have been embezzled, and that they were not worth five pounds. Several more witnesses were examined at great length. Adjourned *sine die*. [*Col. Entry Bk., Vol. XXXVI., pp.* 68-72.]

March 12. **54**. Commission from Lord Craven to Joseph West, to be Governor of the Province of Carolina South and West of Cape Fear. *Signed*, Craven. [*Col. Entry Bk., Vol. XXII., p.* 57.]

March 11. **55**. Instructions of Lords Proprietors of Carolina to Joseph West, Governor of the Province South and West of Cape Fear. Thirty eight articles. *Signed*, Craven, Bath (for Lord Carteret), Albemarle, P. Colleton, Tho. Amy. [*Col. Entry Bks., Vol. XXII., pp.* 44-49, and *Vol. XXI., pp.* 116-125.]

March 12. **56**. Lords Proprietors of Carolina to Stephen Ball, Surveyor-General of the Province South and West of Cape Fear. You will observe the instructions which you have taken over from Mr. Maurice Mathews. You will grant possession of no land in future till the grantee has signed the counterpart of the indenture according to our last instructions of September, 1683. When you have surveyed the land, you will give the certificates to the Secretary, who will not deliver them until the indenture has been signed as above. [*Col. Entry Bk., Vol. XXII., p.* 49.]

March 12. **57**. Lieutenant-Governor Molesworth to Lords of Trade and Plantations. Pursuant to orders, we have enquired into the embezzlement of pirates' goods and seizures, and encouraged all who can give evidence to come in, particularly Mr. John White, Mr. Roger Elletson, and the naval officer, Mr. Reginald Wilson. We began the enquiry on 25th February. The Registrar's accounts shewed that the value of those seizures was 1,197*l*., of which you have received 962*l*., the remainder being computed under expenses of 20 per cent. for factorage, exchange, and other costs. Merchants will inform you if this charge be just. Mr. Elletson could give no information except from others, so desired time to gather it. We met again, therefore, on the 11th, but without obtaining evidence of any value. Elletson was very careful to show that the said goods and moneys had been taken to account by Sir Thomas Lynch, and sent to his correspondent in London, though he must have known that this was the regular practice. It also appeared that some jewels taken from Spurre and put, by Sir T. Lynch's orders, into the hands of the Judge-Admiral, were afterwards remanded and opened by Sir Thomas without knowing what afterwards became of them. Those who saw the jewels valued them at no more than 10*l*.; Mr. Elletson maintains that they were worth far more, and we accordingly adjourned to allow time for his principal witness to the fact to be summoned. I hear since that Sir Thomas opened the packet upon the importunity of a gentlewoman, who pressed him for a token to send by her to his daughter, but finding nothing fit among them, he put them back again. Whether Sir Thomas forgot to return them to the Judge-Admiral I know not, but the jewels are now in possession of Lady Lynch, and will be produced before you at the first opportunity after the further evidence, if any, has been heard. It was also shewn that Mrs. Wilson, wife to the Naval Officer, had received a ring, on pretence of buying it, and had kept it. Lastly it appeared that Sir Thomas had received a gratuity from some Frenchmen of twenty shillings per pack on fifteen packs of cochineal, for liberty of exportation, whereof nothing had been accounted for to the King, Sir Thomas having apparently treated it as a perquisite. This Elletson was lawyer to Spurre's widow for defence of the piratical goods against the King, wherein his methods were so irregular that Sir Thomas Lynch suspended him from practice. It, therefore, seemed strange to me that, in spite of all his efforts, he could prove no more. *Signed*, Hder. Molesworth. *Holograph.* 3 *pp.* *Endorsed.* [*Col. Papers, Vol. LV., No.* 52.]

March 13. **58.** Lords Proprietors of Carolina to Governor Joseph West. We have received your letter, and approved the choice of yourself by the Council in the room of Governor Sir Richard Kyrle, deceased, the more so since you tell us that the dealers in Indians are the greatest sticklers against having the Parliament elected according to our instructions. We take this plain dealing as a pledge that you are not swayed by that party. We observe your seeming unwillingness to retain the Government. We do not propose to put you out if you are prepared to continue in it, but if you really have a mind to lay it down, we have appointed your successor in your instructions, which instructions you will order to be recorded. We note what you have written that the people are not satisfied that the members of the Grand Council of the people's choice should succeed to be deputies upon the death or departure of any of the proprietors' deputies, and that if any deputy should fall sick, affairs would be at a stand for want of deputies. To remedy this we have provided that the Governor shall appoint deputies for such of the proprietors as have no deputies commissioned in Carolina, and we desire you to appoint fitting persons, and not to appoint Mr. Maurice Mathews, Mr. James Moore, or Mr. Arthur Middleton, whom we have recently removed for disobedience in sending away the Indians. We would not have these men or their abettors in any office of the Governor's choice, or of that of the Palatine Court, till they have shewn promise of better behaviour. Observing that factious people would not let us dispose of our land as we think fit, we have ordered the Secretary to make out no warrants for land till the counterpart of the indenture has been signed by the grantee. You will suspend any secretary or surveyor not observing this rule. The produce of less than a quarter of an acre will pay the rent of one hundred acres, which, if any men will not covenant to pay, we prefer their room to their

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company. If any desire not to be encumbered with a rent, we shall sell outright for a shilling an acre, and at that rate one year's produce of three acres in corn and pease will, at current prices, purchase the inheritance of one hundred acres. We have appointed Robert Quarry to be Secretary. If Governor West be dead or departed, Joseph Moreton shall succeed him. *Signed*, Craven, Bath (for Lord Carteret), Albemarle, P. Colleton. [*Col. Entry Bk., Vols. XXII., p.* 50, *and XXI., pp.* 113-115.]

March 13. **59**. Lords Proprietors of Carolina to Governor Joseph West. The prisoners are arrived, and will speedily be tried. We understand that they had negroes' gold and other things, which were seized in Carolina. We desire that they may be forthcoming, and if the offenders be acquitted, they must be restored, but if they be found guilty they belong to us. The King would have you try all pirates in future according to the Act transmitted to you. You say that the people of Berkeley County will not submit to have ten members chosen out of each county. Pray are you to govern the people, or the people you ? Is it just that the inhabitants of Port Royal should have no representatives in Parliament, or be put to the trouble of coming to Charlestown to choose them ? Is it just that all the inhabitants of a Carolina should be subjected to laws made by members of Parliament chosen only by the inhabitants of Charlestown or the neighbourhood ? For that will be the result if the twenty members for the Commons are always chosen there. Would the inhabitants of Berkeley think it just to have all the twenty members chosen at Port Royal ? Do York or Bristol in England choose more than two burgesses for Parliament ? Are there not many boroughs of ten houses that choose as many ? Does not Rutland, with not a tenth of the inhabitants of Yorkshire, choose two knights of the shire, and Yorkshire no more ? The members for the least borough and county have equal votes with the members chosen by the greatest cities and largest counties; so that it is no reason why Colleton County, not having an equal number of inhabitants, should not choose an equal number of members. These things go by the place and not the proportion of people. What harm can be done to Berkeley County if Colleton County choose half the people's representatives ? Can they make a law injurious to Berkeley County that would not be as injurious to themselves ? Would the Grand Council propose any unequal laws to them ? Would the deputies ratify such a law ? Would you, the Governor, consent to it ? Does anyone imagine that we should approve of it, our object being to cherish the whole country alike ? Who then makes the opposition ? By our letters it is the dealers in Indians.

True, we hear that divers sober men are scandalised about this affair of the Parliament, but in quite a different manner than you have represented to us. They have been scandalised to see the combination that is made to have all the members still chosen at Charlestown, where the dealers in Indians boast that for a bowl of punch they could get whom they would chosen for the Parliament and the Grand Council. By this means they have got Acts passed

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prohibiting the sale of arms to Indians, on pain of forfeiture of all estate and of banishment, which they caused to be observed by others but themselves broke with impunity. By packing Councils and Parliaments they have made war and peace with the Indians as best suited their private advantage, which cost the country great expense, and caused the death of many innocent inhabitants. It is the apprehension of living under a Government where such things are possible that makes some weary of living among you and others cautious of coming to you. The King has given no power to assemble the freeholders to make laws as we think fit; we have fixed the method by our fundamental constitutions and by a temporary method until those constitutions can be put in force. If you are unable or unwilling to cause us to be obeyed herein, we must think of other measures. Meanwhile you will supply every deputy with a copy of our instructions. We regret to hear of the general sickness; we attribute it to the unhealthy situation of Charlestown and the bringing down the people of the country to keep guard there in the unhealthy months. We have sent you directions by another route hereon (*see No.* 19). We do not think Charlestown a proper place for the seat of Government, for besides its unhealthiness, it is so much exposed that a few men could surprise Governor, Council, and Parliament in their beds. You will propose to us a healthy site, over thirty miles from the sea, well watered and fit for the building of a town. We wish you also to think of dividing Berkeley County into four equal parts, that members of Parliament may be chosen there by precincts, and thus the freeholders may be able to choose their representatives near home, and be saved the trouble of going to sickly Charlestown to do it. We have been informed of the insolent behaviour of our former deputies and certain officers towards the Governor. We do not allow this, and will not suffer it for the future. If you, our Governor, complain of undutiful behaviour in any deputy or other officer, we shall not fail to apply the remedy requisite. We expect the Governor to be treated with respect, not that deputies should run from the Council without his leave when there is business to be done. In order that men may attend Council without prejudice to their own affairs, we would have the meeting of the Grand Council fixed for the first Tuesday in every month. The Palatine's Court could be summoned, if necessary, at the same time, and it would be your business as Governor to arrange such matters that men may be put to the least possible inconvenience. We think that you mistake the fundamental constitutions regarding the Sheriffs. The Sheriff in Carolina is to be the chief judge of the County Court, and to continue during pleasure, not an annual ministerial officer like the Sheriff in England, for his duty is performed by the Marshal. You will take note of this, for to change the Sheriff annually would be to shift the Judge of the County Court as soon as he has learned his business. You will see that the Clerk of the County Court enjoys the fees, and not the Sheriff, for that might cause exacting, delay of justice, and oppression. We would have you consider that the magistracy is placed in your hands for the good government and welfare of the people, and not to make a prey of them, as we doubt

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has been too much practised in Carolina. We would have our letter of 30 September 1683 (*see preceding volume, No.* 1,284) to be read in Council forthwith and in Parliament when it meets.

We have received hints that Mr. John Moore, our Escheator, has exceeded his duty in some respects, seizing on personal estate of persons dying intestate but leaving wives and children. This is none of his business. We have also some blind hints that he has sold lands of people dying intestate who had no heirs in Carolina. True, all such land of intestates dying without heirs reverts to us, but we would have time given to heirs to appear and make their claim, and meanwhile the land and houses should be let, not sold. You will call Moore before you and examine the matter, and report to us how he has fulfilled his office. If you find that the first complaint against him is true, you will cause him to restore the estate to them who have by law the right of administration. We hear that pirates frequent your ports. You will give them no encouragement; and if any vessel put into Carolina with a number of armed men more than her sailing company, you will cause them to give security for their peaceable behaviour towards the subjects of the King and of friendly nations. *Signed*, Craven, Bath (for Lord Carteret), Tho. Amy, P. Colleton. [*Col. Entry Bk., Vols. XXII., pp.* 51-55, and *XXI., pp.* 107-112.]

March 13. **60.** Instructions to Robert Quarry, as Receiver of the Province of Carolina, South and West of Cape Fear. *Signed*, Craven, Bath (for Lord Carteret), P. Colleton, T. Amy. [*Col. Entry Bk., Vol. XXII., p.* 55.]

March 13. **61.** Instructions for the same, as Secretary of the same Province. *Signed as the preceding.* [*Col. Entry Bk., Vol. XXII., pp.* 56-57.]

62. Oath of the Surveyor-General of Carolina. [*Col. Entry Bk., Vol. XXII., p.* 72.]

March 13. Barbados. **63.** The Secretary of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the proceedings in the Council and the Secretary's office. *Signed*, Edwyn Stede. 1 *p. Endorsed.* Recd. 17 June 1685. [*Col. Papers, Vol. LV., No.* 53, and *Col. Entry Bk., Vol. VII., p.* 295.]

March 13. Barbados. **64.** Governor and Council of Barbados to the same. Forwarding quarterly returns of the Council's transactions and of imports. *Signed*, Ri. Dutton, Henry Walrond, John Peers, Edwyn Stede, Tho. Walrond, Tim. Thornhill, Stephen Gascoigne. 1 *p. Endorsed.* Recd. 2 June 1685. [*Col. Papers, Vol. LV., No.* 54, and *Col. Entry Bk., Vol. VII., p.* 291.]

March 14. **65.** Journal of Lords of Trade and Plantations. Sir Philip Howard attended. Agreed to order him to report as to the stores which he finds in Jamaica, when his request will be considered.

Mr. Weare's complaints against Governor Cranfield considered. A copy of Mr. Cranfield's defence to be sent to him. Memorandum of despatches sent and received. [*Col. Entry Bk., Vol. CVIII., pp.* 107-109.]

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March 14.
Jamaica.
66. Deposition of William Peet. As to the discovery of two hundred pieces of eight in the house of Thomas Atkinson by Reginald Wilson. 1 *p.* *This concerns the charges of embezzlement against Sir Thomas Lynch* (*see No.* 68). 1 *p.* *Endorsed.* [*Col. Papers, Vol. LV.*, *No.* 55.]

March 15.
Jamaica.
67. Lieutenant-Governor Molesworth to the Earl of Sunderland. By letters from Panama I understand that eight or nine hundred piratical English have possessed themselves of an Island called Perico, a league and a half from Panama, where they have fortified themselves and maintained it against all the force that the Spaniards could make against it. At Panama the Spaniards were well provided for defence, and preparing to join with the supplies ordered from the galleons at Carthagena. Manta, near Lima, has been plundered by pirates, and much damage done. It is supposed that these ships are English, whereof Swan and Eaton are two; but we cannot hear whether they are in correspondence with those at Perico. Fifteen hundred men have been sent by land from Carthagena to Lima, and twelve hundred to Panama, to make an end of these pirates, and more than twenty vessels from Lima to follow up their ships. The men at Perico are for the most part those who have long haunted these seas, and, finding themselves discouraged at their old trade, have joined together and have been conducted by the Darien Indians through the country till they got opportunity to seize the island. The design has been afoot a year, when the pirates began to make rendezvous at Golden Island, the Darien Indians being ever enemies to the Spaniard. The English are said to have made great booty by sending out parties from time to time. The Spaniards are much alarmed, and the galleons will be retarded, to the great disappointment of affairs in Spain. If these pirates are not at once overthrown, before they grow any stronger, the Spaniards will be compelled to come to terms with them or to suffer great loss, for the pirates command some passes by which great part of the plate is sent to Porto Bello. Not only Spain but all Europe will be injured, and many men will be drawn away from this Island, despite all our efforts. *Signed*, Hder. Molesworth. *Holograph.* 2 *pp.* *Endorsed.* Recd. 11 June. [*Col. Papers, Vol. LV.*, *No.* 56, and *Col. Entry Bk.*, *Vol. XXXI.*, *pp.* 34-37.]

Duplicate of foregoing. [*Col. Papers, Vol. LV.*, *No.* 57.]

March 16.
68. Roger Elletson to Lords of Trade and Plantations. I have done my best since receipt of your orders to bring to light the embezzlement of seizures by Sir Thomas Lynch's Government. The Council met to examine the affair on the 11th inst., but your orders to encourage and invite all who might be useful in the affair seems not to have been pursued, but rather the contrary. The most material matters and witnesses have not yet been examined, nor should they be, until the arrival of the new Governor, who will do right and justice therein. Captain Davis, who took Spurre's plunder, is not yet come, by whose evidence (if not by some or other taken off [*sic*]) I hope to prove another considerable embezzlement. I knew not what account you have received of the proceedings, for I have been refused a copy of the minutes. 1 *p.* *En-*

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dorsed.

Duplicate of foregoing, dated April 15. [*Col. Papers, Vol. LV., Nos.* 58, 59, *and Col. Entry Bk., Vol. XXXI., pp.* 51-52.]

March 17. **69.** Journal of Lords of Trade and Plantations. Mr. Mason's letter of 20 October read (*see preceding volume*). A copy to be sent to Mr. Weare.

Minutes of Council of Barbados of 10 October read (*see preceding volume*), as to the trial of Sir John Witham, and the account of his indictment and condemnation. Agreed to report that Sir R. Dutton had not done well (*see No.* 95).

A letter from Mr. Penn, dated this day, read, praying an order for quieting the possession of Delaware, as the King had placed it, till his difference with Lord Baltimore was settled. Agreed to do nothing therein. Mr. Markham produced three letters (*see Nos.* 71, 72, 73). [*Col. Entry Bk., Vol. CVIII., pp.* 110-116.]

March 17. Doctors' Commons. **70.** The Judge of the Admiralty Court to William Blathwayt. The Amity has been arrested ever since 29 January last, by order of the late Commissioners of the Treasury, but the master was not examined till Saturday night. The Elizabeth is also under arrest, and the master to be examined to-day. I can wait on you if required. *Signed*, Rich. Lloyd. *Holograph.* 1 *p. Inscribed and endorsed.* Letter about the New England pirates. [*Col. Papers, Vol. LV., No.* 60.]

[March 17.] **71.** Testimony of William Markham. As to Lord Baltimore's lies respecting the delay in marking off the boundary of Pennsylvania, his tampering with Markham's instrument, and his tricks in regard to the whole business up to July, 1682. Sworn to by William Markham. $2\frac{1}{2}$ *pp. Endorsed.* Sworn before Committee 17 March 1684-5. [*Col. Papers, Vol. LV., No.* 61.]

[March 17.] **72.** Testimony of William Markham of his meeting with Lord Baltimore in September 1682. I desired Mr. Haig to give me in writing an account of what had passed, which he did as follows:—*Saturday Sept.* 23 1682. Lord Baltimore with Colonel Coursey and others and forty horse came from Newcastle to Upland. The 24th being Sunday, Lord Baltimore compared his instrument and Colonel Morris's. Both instruments having been set up and none left to mind them but Lord Baltimore's own men, they told him that they found the place to lie in latitude 39° 45′. *Monday,* 25 *September.* Lord Baltimore wished to go further up the river to latitude 40°, but George Markham objected that from twelve miles above Newcastle and so to the Delaware river he had no ground of claim, the land being granted to Mr. Penn. Lord Baltimore disputed this from his patent, but George Markham would not allow him to take any further observations. After long dispute Markham said that the King must decide between his master, Mr. Penn, and Lord Baltimore, but Lord Baltimore said that he would not go before the King, since the land in question was his. Markham urged him to wait till Mr. Penn should arrive, but he would not, but took boat to Chichester and went from house to house forbidding the inhabitants to pay quit-rents to Mr. Penn. Next day,

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when Markham was waiting for Lord Baltimore at Newcastle, according to appointment, the inhabitants came to him, terrified by all that Lord Baltimore had said, and wished to move their habitations, not thinking themselves safe from his lordship's claim. Sworn to by William Markham. *Three very closely written pages. Endorsed.* Sworn before Committee March 17, 84-5. [*Col. Papers, Vol. LV., No.* 62.]

[March 17.] **73**. William Markham to Lord Baltimore. I waited for you yesterday at Newcastle, and heard from Chichester of your carriage towards the people. You have left the province in such disorder that it is absolutely necessary for me to stay in it to quiet the minds of the people, and to prevent repetition of such an occurrence. *This letter was written* 26 *Sept.* 1682 (*see preceding abstract*). *Copy.* ½ *p.* Sworn to by William Markham. *Endorsed.* Sworn before the Committee March 17 1684-5. [*Col. Papers, Vol. LV., No.* 63.]

March 17. **74**. Address of the Assembly of Barbados to Governor Sir Richard Dutton. Requesting to be granted the farm of the four and a half per cent. duty for eleven years, on payment of 6,000*l.* per annum; asking the Governor's mediation in favour of the request, and suggesting the appointment of a joint Committee to settle details; and ending with an expression of thanks for the removal of obstructors of justice. *Signed,* Richard Cartwright, Clerk of Assembly. *Copy,* certified by Edwyn Stede, 20 March 1684-5. *Large sheet. Inscribed and endorsed.* Recd. 4 June 1685. [*Col. Papers, Vol. LV., No.* 64.]

75. Duplicate of foregoing. *Endorsed.* Read at Committee 11 June 1685. [*Col. Papers, Vol. LV., No.* 65.]

March 17. **76**. Minutes of Council of Barbados. 300*l.* ordered to be paid on account to Symon Cooper for work on the fortifications, and half of his claim to Thomas Howard, blacksmith, for the same. Order for payment of 67*l.* to Major John Johnson, of 22*l.* 5*s.* to George Hannay for rent of the house for Grand Sessions, and of a quarter's rent for Government House, Fontabelle. James Carter took the oaths on election to the Assembly. The Assembly brought up an address to the Governor (*see No.* 74). The Governor appointed Henry Walrond, Thomas Walrond, and John Peers to join the Committee of the Assembly. Report of the Committee on the petition of Richard Bate agreed to.

March 18. Resolutions of the joint Committee appointed yesterday to draw up the scheme for commutation of the four and a half per cent. duty.

March 19. The Assembly brought up three bills, for the commutation of the four and a half per cent. duty, concerning attorneys, and for the collection of arrears of taxes from labourers. [*Col. Entry Bk., Vol. XI., pp.* 579-587.]

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March 17. **77.** Journal of Assembly of Barbados. John Read chosen Speaker in place of Richard Seawell, deceased. Agreed to pay Richard Bate 50*l*. a year rent for the magazine and store-houses. The Assembly's proposals to the Governor for commutation of the four and a half per cent. duty carried.

March 18. John Codrington, John Hothersall, John Davies, Paul Lyte, and Abel Allen appointed to be of the joint Committee in the commutation of, the duty. Carried, that persons possessing less than twenty acres be exempted from the tax. Militia Bill debated.

March 19. The Bill for Commutation of the four and a half per cent. duty read and passed. Bill for collection of arrears from labourers passed, also a bill concerning Attorneys and a bill to prevent stealing of sugar. Adjourned to 7 April. [*Col. Entry Bk., Vol. XIV., pp.* 18-22.]

March 19. **78.** Acts of Barbados passed by 19 March. Supplemental Act for better ordering of Negroes. Act for collection of arrears of labourers. [*Col. Entry Bk., Vol. XVI., pp.* 95-97.]

March 19. **79.** Journal of Assembly of Nevis. The Assembly proposed a levy of 130,000 lbs. of sugar on planters and merchants, four-fifths to be raised in the country, one-fifth on Charlestown, Jamestown, World's End, and New Castle, and one-fifth on the nation of the Jews. The Council assented. [*Col. Papers, Vol. LV., No.* 40.]

March 20. **80.** Lords Proprietors of Carolina to Robert Quarry. Appointing him Secretary of the province South and West of Cape Fear. *Signed*, Craven, Bath (for Lord Carteret), Albemarle. [*Col. Entry Bk., Vol. XXII., p.* 43.]

March 20.
Whitehall. **81.** Order of the King in Council. Referring the petition of Richard Wharton to Lords of Trade and Plantations for report. *Signed*, Wm. Bridgeman. 1 *p.* *Annexed*,

81. I. Petition of Richard Wharton. Is owner of lands on the Kennebec in Maine; but forbears to improve them till the King shall take the County into his own hands. Prays that the King will do so, and grant petitioner fresh immunities and privileges such as he enjoyed under his former tenure. 2 *pp.* *Copy.* *The whole endorsed.* Recd. 30 Mar. Read 15 April and 5 May 85. [*Col. Papers, Vol. LV., Nos.* 66, 66I., and (*Order only*) *Col. Entry Bk., Vol. LXI., pp.* 221-222.]

March 20.
Virginia. **82.** Governor Lord Howard of Effingham to [William Blathwayt]. I am sorry to report to you the escape of Colonel Talbot from prison. Ours is so weak here that I rather wonder he was kept so long. He had a guard of two men by night and one by day and was sufficiently ironed, but he corrupted the guards and others. I have examined those who assisted his escape, and found suspicion

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but no positive proof against them, though enough to commit them to prison, from which they are since escaped. I at once sent advice to Maryland that it was their duty to retake him. *Extract.* [*Col. Entry Bk., Vol. LII., p.* 104.]

March 21. **83.** Dr. Henry Woodward to Deputy-Governor Colonel John Godfrey. John Chaplin is returned to Port Royal. He owned to me at my house, before several witnesses, that he saw arms and other things delivered to the Yamasees, and that they are gone against the Timechoes, but he knows not against what place nor who the Timechoes are. Last Monday week Lord Cardross, Mr. Dunlop, Mr. Hamilton, and Mr. Westbrooke went to Amecaraw, on the South side of the Westo River, but on what errand Chaplin says he knows not, though it is easy to guess. Chaplin says that a great booty is expected from the Timechoes, and that he believes that it is by Westbrooke's persuasion only that my lord has undertaken this (as I think) unadvised project. Antonio has been with me from St. Helena with seven others, who all complain that it is through Westbrooke's means that the Scots and Yamasees are gone on this design. [*Col. Entry Bk., Vol. XXI., p.* 143.]

March 23. **84.** Minutes of Council of Jamaica. The Governor reported that one Richard Holloway had tried to seize the ship St. Antonio, to the prejudice of the negro trade with the Spaniards. Holloway was called in, and having been heard in defence, was ordered to give security for his appearance at the next Grand Court. Ordered that the Attorney-General do prosecute him, and that a new proclamation be published, setting forth the King's approval of the trade with the Spaniards. Copy of the proclamation. Order for various payments. The enquiry into the embezzlement of piratical goods was resumed, and several witnesses examined. Adjourned *sine die.* [*Col. Entry Bk., Vol. XXXVI., pp.* 73-81.]

March 24.
Jamaica.
85. Lieutenant-Governor Molesworth to Lords of Trade and Plantations. One Richard Holloway, cooper (a busy fanatical fellow), notwithstanding the King's known orders to the contrary, has lately attempted to seize the ship Saint Antonio, belonging to Don Nicholas Porcio, and employed for buying of negroes, to the great dissatisfaction of the Spanish factor and the discouragement of the trade. The act seemed to the Council to be malicious, as there was no reasonable cause of seizure. I beg explanation of the King's said orders in favour of the Spaniards here. Is the liberty of buying and exporting our English manufactures comprehended, though not expressed, within the intention of the order? My construction is that it is so, but, on putting it to the vote of the Council, most of them began to hesitate, which made me waive it. I then asked Holloway if he would give security to pay damages in case he could not make good his seizure; and, on his refusal, we judged his whole proceedings to be vexatious. Had I not put the question in this way, I should have been at a loss how to get the Council to join me in punishing Holloway, because it is not expressly in the King's orders that Spaniards may buy and export our

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English manufactures, though the advantages that would thereby accrue to the King and kingdom are obvious, in the consumption of our English manufactures and the importation of bullion, or of foreign goods paying heavy duty, in their stead. The seizure being null, there was no occasion for an order to cancel it, but the Council thought fit to issue a proclamation in favour of the trade, with greater restriction in the matter of seizure than heretofore. The reason is that, unless they take out their process and give security before seizure, every little fellow will be continually giving trouble to the Government and vexation to the Spaniards. We can think of no better expedient, and hope that it will meet with your approval. It cannot be supposed that these restrictions will encourage the Spaniards to violate the Acts of Trade and Navigation by exporting produce of the Island. They would be liable to confiscation of ship and negroes, insomuch that Don Nicholas Porcio has given heavy security not to permit such goods to be taken on board. And though there be some penalty upon their importation of English manufactures from hence, yet the danger is easily avoided, by making up the goods in small parcels and so covering them as to protect them from rain. These are landed in some wood near the port to which they are bound, and left with a man to watch them till they can be brought into the town by night. This cannot be done with our Island produce, through its nature, weight, and bulk; moreover, it is of no value there. *Signed*, Hder. Molesworth. *Holograph.* 4 *pp.* *Endorsed.* Recd. 10 July 1685. Read July 15. [*Col. Papers, Vol. LV., No.* 67, and *Col. Entry Bk., Vol. XXXI., pp.* 42-48.]

March 24. **86**. Petition of the inhabitants of Jamaica to the King. The late King assented to an Act providing for repair of our fortifications and supply of stores, but the fund has been such a short time settled and so much money has been expended in building forts that we have no money to buy ammunition and stores. The powder introduced under the Act is only sufficient for salutes and the common expense of public occasions. Our stores therefore are fallen low, and we beg you to grant us some as your free donation. *Copy.* 1 *p.* *Endorsed.* Read in Council March 24 1684(5). *Col. Papers, Vol. LV., No.* 68.]

March 4.
Panama
Road.

87. Charles Swann to Captain John Wise. My voyage is at an end. In the Straits of Magellan I had nine men run from me in one night, after they saw that they could not prevail with me to play the rogue. But God's justice overtook them, for after weathering Cape Victory we met with an extreme storm of long continuance, which drove me down to latitude 55d. 30m. South, and in which the ship to which they deserted was lost. Then I came to Valdivia, when I had two men killed under a flag of truce, after three days' parley and all oaths, human and divine. An ambuscade of between one and two hundred men came out and fired upon a poor eight of us in the yawl. But God punished them likewise, as we hear, we killing three of their captains and some others. It is too long to give you an account of all my troubles, which were

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chiefly owing to the fact that the ship was meant to be run away with. In Nicoia the rest of my men left me, so that, having no one to sail the ship, I was forced to join them. So that now I am in hostility with the Spaniards, and have taken and burnt some towns, and have forced the President of Panama to send me two men he had taken from us. The same day 270 new men came to me, and we are going to take in 200 more that they left behind. We shall soon be 900 men in the South Seas. Assure my employers that I do all I can to preserve their interest, and that what I do now I could in no wise prevent. So desire them to do what they can with the King for me, for as soon as I can I shall deliver myself to the King's justice, and I had rather die than live skulking like a vagabond for fear of death. The King might make this whole kingdom of Peru tributary to him in two years' time. We now await the Spanish fleet that brings the money to Panama. We were resolved to fight them before we had reached this strength, and had lain in wait six months for them, but now we hear that they are at sea, and expect them every day. If we have success against them we shall make a desperate alarm all Europe over. I have some money, which I wish were with you, for my wife. I shall, with God's help, do things which (were it with my Prince's leave) would made her a lady; but now I cannot tell but it may bring me to a halter. But if it doth my comfort is that I shall die for that I cannot help. Pray present my faithful love to my dear wife, and assure her she is never out of my mind. *Copy.* 2 *pp.* *On next page,* A letter from Richard Slinger to Mr. Barry, reporting receipt of Swann's letter. ½ *p.* *Endorsed.* [*Col. Papers, Vol. LV., No.* 69.]

March 24. Barbados. **88.** Sir Richard Dutton to Lords of Trade and Plantations. The Assembly being made sensible by their own losses of the injury to the country through their neglect of the King's offer of commuting the four and a half per cent. duty, now beg that they may become the farmers of it. Thinking myself bound to encourage them herein, I thought it best to reduce their proposals into an Act which it is open to the King to confirm or to repeal, and which is herewith enclosed (*see No.* 46). My caution in obliging them to pass this measure was the greater inasmuch as former Assemblies, after first receiving the proposal with all gratitude, laid it aside next day as unworthy of their acceptance. This was done by some ill members, who studied their own seditious humours before the King's honour and the good of the country. You will find the proposals of the Act worthy of your favourable consideration, especially when you compare them with the former receipts, not only from Barbados, but from the Leeward Islands in addition. They offer six thousand pounds a year in advance, without any expense to the King, saving him two thousand a year in cost of collection, as well as the risk involved by sending home sugar in specie. The country is obliged to raise seven thousand pounds for the payment of six thousand to the King, one thousand being for the Treasurer to pay him for punctual remittance of the money. He gives twelve thousand pounds security; but if the King would

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prefer the whole sum to be paid to him here, I am sure that the country would readily consent. I cannot but tell you that the acceptance of this would mean a great loss to the King, for the Treasurer now appointed is obliged to pay the King in sterling, whereas here he is only to receive the current money of the Island, pieces of eight at five shillings, of which very few weigh more than three and sixpence, so that the loss in sending them home would be thirty per cent., apart from the risk. The reason which has prompted the Assembly to make the liberal proposals embodied in this Act are that, though the money is paid cheerfully, the manner of collection is grievous, especially in the leeward parts of the Island. Now they are limited to carry, weigh, and ship their sugars at certain times and places, which they were not before, whereby not only do their cattle suffer much in this hot country, but they lose much time, being unable to observe the strict rules of the Custom-house for despatch of their business. I beg your intercession in favour of the Act. *Signed*, Ri. Dutton. 3 *pp. Endorsed.* Recd. 4 June 1685. Read 11 and 20 June. [*Col. Papers, Vol. LV., No.* 70, *and Col. Entry Bk., Vol. VII., p.* 292.]

March 24. **89**. Minutes of Council of Barbados. The Governor reported that private letters brought news of the death of King Charles II. The Council resolved that no notice should be taken until the news were publicly signified. [*Col. Entry Bk., Vol. XI., pp.* 587-588.]

March 24. **90**. Journal of Lords of Trade and Plantations. The King ordered a letter to be prepared to Sir R. Dutton as to the appeal of Sir John Witham (*see No.* 95). Edwyn Stede to be Lieutenant-Governor of Barbados during Sir R. Dutton's absence. [*Col. Entry Bk., Vol. CVIII., pp.* 117-118.]

March 24.
Whitehall.
91. Order of the King in Council. Referring the petition of Lord Culpeper, Richard Wharton, and others to Lords of Trade and Plantations for report. *Signed*, Wm. Bridgeman. 1 *p. Annexed*,

91. i. Petition of Lord Culpeper, Richard Wharton, and the rest of the owners of the soil of the Narragansett Country. We are ready to pay the quit-rents of two shillings and sixpence, New England money, per hundred acres, and to submit to such regulations as the King shall think fit. We beg the confirmation of our lands to us. *Copy.* 1½ *pp. The whole endorsed.* Recd. 30 March. Read 15 and 27 April 85. *Memo. in Entry Bk.* Referred to Law Officers 15 April. [*Col. Papers, Vol. LV., Nos.* 71, 71i., *and* (*Order only*) *Col. Entry Bk., Vol. LXI., pp.* 223-224.]

March 25.
Stuart's-town.
[Carolina.]
92. Lord Cardross to the Governor and Grand Council of Charlestown. I send Mr. Alexander Dunlop to compose differences which seem likely to arise between us. Mr. Caleb Westbrooke, who lives within this country, has received two orders, one a warrant to apprehend a man within our bounds, and the other an order to Westbrooke to appear before you to give information respecting several transactions that have lately taken place to

Southward, all this without notice to us. We doubt not as to the contract that has been made between the Lords Proprietors and us which we mean to keep ourselves and expect to be kept by others. The Proprietors we doubt not will do their part, and it is our interest and yours to do the same, and keep up a good understanding. We had hoped to hear of your resolutions on the Spanish letter we sent you, but we have not. Mr. Dunlop will inform you of the "sinistrous" dealing which two noted Indians have taken, to stir up the Indians against us and against each other. We expect your justice herein. We hear too that they entertain a Spanish Indian, whom we believe to be a spy from St. Augustine or thereabout. Pray deliver to bearer the six guns appointed for us. *Signed*, Cardrosse, Wm. Dunlop, Hamilton, Montgomerie. [*Col. Entry Bk., Vol. XXI., p.* 134.]

March 26. **93**. Act of Antigua for the annexing of slaves to freeholders in the Island. *Copy.* 1 *p. Endorsed.* Recd. from the African Company 10 Oct. 1685. [*Col. Papers, Vol. LV., No.* 72.]

March 27. Whitehall. **94**. Order of the King in Council, referring the petition of Sir John Witham to Lords of Trade and Plantations for report. *Signed*, Wm. Bridgeman. 1 *p. Endorsed.* Recd. 28 March 85. *Annexed*,

94. I. The petition referred to, addressed to the King and the Committee. By Royal Warrant of 10 December 1682 the Lieutenant-Governor was granted half salary and perquisites during the absence of the Governor on leave. I administered the Government during Sir Richard Dutton's absence, not without marks of the Royal approbation, including appointment to hold first rank in the Council of the Island. No sooner, however, did Sir Richard Dutton return, than he sent to me an overture that I should assign my half salary and perquisites to him, and, on my refusal, resolved to force me. He thereupon summoned and examined some thirty persons for any information that he could obtain against me, and framing thereon three charges, committed me to the Provost Marshal till I should find bail. Three several indictments were then prepared against me, wherein were contained several frivolous matters not mentioned in the warrant of commitment, whereof copies were refused to me. Nor was I even allowed counsel, but was required to plead at once, or have judgment entered against me. I pleaded that your Majesty and the Committee were my only proper judges in matters of maladministration, but the plea was not admitted. Though I was so ill that I nearly died in the Court, I was obliged to defend myself; my defence was ridiculed and omitted to the jury; my judges were many of them my accusers; and I was found guilty, and fined eleven thousand pounds, a sum not only impossible for me to pay, but altogether disproportionate to the alleged offences. I appealed to your Majesty in Council, but no notice was taken; and I was

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committed, ill as I was, close prisoner to the Provost Marshal, till I should pay the two fines of three thousand pounds apiece. The other fine of 5,000*l.* was imposed on the suggestion that I had taken a negro girl for a bribe, though there was but one witness, and that of ill-fame, yet on the 26th December, 1684, I was summoned before the Court of Exchequer to shew cause why I should not pay it. I offered sundry matters in plea of abatement, but in vain. Judgment was given for the levying of five thousand pounds on my estate, and a *fieri facias* immediately issued for the purpose. I beg that my case may be enquired into, that true copies of all the proceedings may be allowed to me, that I may be released from prison, and further proceedings against me stayed pending the enquiry. *Copy.* 5 *pp. Inscribed.* Read in Council 28 March 1685. [*Col. Papers, Vol. LV., Nos.* 73, 73 I., *and* (*under date* 26 *March*) *Col. Entry Bk., Vol. VII., pp.* 288-289, *and* 310-314.]

March 27. Whitehall. **95.** Order of the King in Council. Approving the following report of Lords of Trade and Plantations, and directing Lord Sunderland to prepare a letter accordingly. *Signed*, Wm. Bridgeman. *The Report.* Since our report of 13 January (*see preceding volume*) we have received further particulars of Sir Richard Dutton's proceedings towards Sir John Witham, the queries that he addressed to the Council and their answers (*see preceding volume*), and the three indictments preferred against him. We have received no letters or papers in his defence from Sir John Witham since his trial, nor the plea in answer to the indictment, which ought to have been forwarded by the Secretary; but we cannot omit to point out that the Chief Judge appointed by Sir Richard Dutton for the Sessions was Henry Walrond, whom Sir John Witham had dismissed from the post of Lieutenant-General. On the whole we do not think that Sir Richard Dutton has done well in calling to account in this manner one who has borne the chief command on the Island, but since matters have gone so far, and Sir John Witham has appealed to Your Majesty, we advise that all orders for execution against him be suspended and all issues superseded, and that if execution in any case be actually passed, restitution shall be made to him; that meantime he be set at liberty and have his papers restored to him, and that he be allowed to appear here himself or by counsel as he shall prefer, and to send over all documents necessary for his defence; also that Sir Richard Dutton send more particular and authentic account of the facts and evidence against Sir John, and that he be forbidden to reverse Sir John Witham's decrees in Chancery on any pretended defect of authority. *Dated*, Council Chamber, 17 March 1685. [*Col. Entry Bk., Vol. VII., pp.* 271-279.]

March 27. **96.** Journal of Lords of Trade and Plantations. Draft Commission to Mr. Edwyn Stede read, and draft letter to Sir Richard Dutton.

The articles against Governor Cranfield and his answer read (*see preceding volume of this Calendar*). The Lords agreed on their report (*see No.* 118).

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Sir John Witham's petition read (*see No.* 94 I.). A copy to be sent to Sir R. Dutton. Petition of Walter Stephens and others read. The Lords agreed on their report (*see No.* 179).

Memorandum of despatches sent and received. [*Col. Entry Bk., Vol. CVIII., pp.* 119-129.]

March 28. **97.** The King to Sir Richard Dutton. A letter in the terms of the report of 17 March (*see No.* 95). Ordering both Sir John Witham, and Sir Richard Dutton, and Henry Walrond to come home without delay; and that liberty be given without discouragement for the taking of the necessary evidence. Sir John Witham to give recognisance that he will appear before the Council, and submit to its determination in his appeal. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. VII., pp.* 279-282.]

March 29. **98.** Sir Richard Dutton to Lords of Trade and Plantations. I have received the King's Order of 15 January last to my great astonishment, and think myself very unhappy to have lain under the King's displeasure, owing to the unfortunate loss of my letters at sea, which letters would I doubt not have prevented any such order. I must beg to acquit myself of the charge brought against me. As to my prosecution of Sir John Witham, I shall say no more in my vindication than that I acted with the unanimous concurrence of the Council, the Attorney-General and the Judges, in every step. My precedent was the trial of Colonel Codrington by William Lord Willoughby, who had left him Deputy-Governor during his absence. If I have failed in the method of this prosecution, I have at least acted with all possible caution and advice. The proceedings already forwarded to you show that judgment was passed before I received your order, but further execution shall be stayed. As to the latter part of the order, I doubt not that you will acquit me when I solemnly protest that no such order ever came to my hand, so that I could not have caused it to be entered in the books of the Assembly and Council. Whether it came into my deputy's hands I know not, for he kept not only public orders but also my private letters; but I find no entry thereof in the books. I hope that I now stand fair in your Lordships' estimation, and that the King will permit me to accept the benevolence granted me by the country. I confess that, not knowing I should be guilty of any fault, I received a thousand pounds of it a month before the King's order came to my hands. Without it I and my family should have been in a wanting condition, for everything is very dear and I was put to great expense before I left England. There is a great arrear of salary due to me from the King, which has put me to great extremity. But I shall not touch the remaining thousand pounds now ready for me in the Treasurer's hands without the King's order, though I and my family should die of hunger. *Holograph.* 3 *pp. Endorsed.* Recd. 4 June 1685. Read 11 and 20 June. [*Col. Papers, Vol. LV., No.* 74., *and Col. Entry Bk., Vol. VII., pp.* 296-298.]

March 30. **99.** Memorandum of Commissioners of Customs. Transmitting a letter from Captain Jones of H.M.S. Diamond, attending the service of Barbados, shewing that foreign vessels are allowed to trade there contrary to law. They move that the Governor may be reminded of his duty, and the Captains instructed to seize all foreign vessels so trading. ½ *p. Endorsed.* [*Col. Papers, Vol. LV., No* 75, and *Col. Entry Bk., Vol. XCVII., p.* 141.]

March 30. Whitehall. **100.** Commission to Edwyn Stede to be Lieutenant-Governor of Barbados on the death or in the absence of Sir Richard Dutton. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. VII., pp.* 282-285.]

March 30. Whitehall. **101.** The King to Sir Richard Dutton. Ordering him to give Edwyn Stede a copy of his Commission and Instructions, and to administer to him the oaths of office. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. VII., pp.* 285-286.]

March 30. Whitehall. **102.** The King to Sir Richard Dutton. Appointing Henry Quintyne, John Hallett, John Hothersall, and John Gibbes to be of the Council of Barbados. [*Col. Entry Bk., Vol. VII., p.* 286.]

March 30. **103.** Minutes of Council of Nevis. Colonel William Burt sworn in Deputy-Governor. [*Col. Entry Bk., Vol. XLVIII., pp.* 63-64.]

March 31. Barbados. **104.** The Commissioners of the Four and a half per cent. duty to the Commissioners of Customs. By our improvements we hope to make the duty worth from eight to ten thousand pounds a year clear. *Extract.* [*Col. Entry Bk., Vol. VII., p.* 302.]

[March 31.] **105.** Copy of the queries addressed to Sir Richard Dutton to the Council on 10 October, 1684 (*see preceding volume*). *Copy.* 3 *pp. Inscribed.* Recd. 31 March. [*Col. Papers, Vol. LV., No.* 76.]

[March 31.] **106.** Address of loyalty from the Grand Jury of Barbados to the King, 16 December, 1684. *Seventeen signatures. Broad sheet. Endorsed.* Recd. 31 March 1685. Read 1 April. [*Col. Papers, Vol. LV., No.* 77.]

[March.] **107.** Sir John Witham's plea in abatement before the Grand Court of Barbados. *Copy.* 8 *pp.* [*Col. Papers, Vol. LV., No.* 78.]

[March 31.] **108.** Sir John Witham's plea in abatement before the Court of Exchequer of Barbados; six heads, with the answers of the Court thereto. 1¼ *pp. Endorsed.* Recd. 31 March 1685. Duplicate received 12 March, read 17th. [*Col. Papers, Vol. LV., No.* 79.]

[March ?] **109.** [Sir John Werden ?] to Lords of Trade and Plantations. The annexed shows the boundaries of the Duke of York's Patent. I beg you to call for it. The Counsel who drew it for the Duke is without, and is ready to explain any difficulties. *Unsigned.* ½ *p.* [*Col. Papers, Vol. LV., No.* 80.]

[March ?] **110.** Memorandum concerning Maryland. A brief description of its rise, of its boundaries, and first charter. *In the handwriting of William Bridgeman.* 2 *pp.* [*Col. Papers, Vol. LV., No.* 81.]

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March.
Petit Guavos.

111. The Governor of Petit Guavos to Lieutenant-Governor Molesworth. One of our privateers (*flibustiers*) bearing the Commission of the Admiral having met Captain Bosseville some few leagues off Jamaica without passport or papers, has brought him in here. On examination I found certain proof that he has traded with the subjects of the King, my master, which is as you know is contrary to the orders of my King and yours. Still, to promote the friendship existing between the two crowns, I have released him with his ship and cargo, and without further harm done but the delay. I kept him here for some days for certain reasons, but restored him all that belonged to him. To avoid similar inconveniences in future, pray order your vessels not to go to sea without passes in proper form, or I shall be compelled to confiscate them. *Signed*, De Cussy. *Holograph. French.* 2 *pp. Endorsed.* Transmitted by Colonel Molesworth to the Committee. Recd. 29 July 1685. [*Col. Papers, Vol. LV., No.* 82.]

April 1.
Whitehall.

112. Order of the King in Council. That Samuel Pepys, Esq., Secretary of the Admiralty, order the commanders of the King's ships on the Colonial Stations to seize all foreign vessels trading with the plantations. *Copy.* ½ *p.* [*Col. Papers, Vol. LV., No.* 83, *and Col. Entry Bk., Vol. XCVII., p.* 142.]

April 1.
Council Chamber.

113. Lords of Trade and Plantations to Sir Richard Dutton. Forwarding copy of Sir John Witham's petition and appeal (*see No.* 94 I.) for reply. All Sir John Witham's papers are to be restored to him. *Signed*, Rochester, Halifax, Clarendon, Ormond, Lindsey, Arlington, Huntingdon, Bridgewater, Craven. [*Col. Entry Bk., Vol. VII., p.* 289.]

April 4.

114. Journal of Lords of Trade and Plantations. Draft circular respecting the Acts of Trade and Navigation read. An exception as to Spanish ships trading for negroes (*see No.* 120).

Colonel Molesworth's letters of 30 December and 3 February read (*see preceding volume*). A copy of his proposals as to exchanging guns in the forts to be sent to Lord Dartmouth. Sir Philip Howard to examine and report as to Bannister's escape.

Memorandum of despatches sent and received. [*Col. Entry Bk., Vol. CVIII., pp.* 129-133.]

April 4.
Whitehall.

115. Order of the King in Council. Referring the petition of James, Earl of Arran, to Lords of Trade and Plantations for report. *Signed*, Phil. Musgrave. 1 *p.* *Annexed*,

115. I. The Petition of James, Earl of Arran. In 1660 the Council established at Plymouth sold a tract of land in New England, now called the Narragansett County, to petitioner's grandfather, James, Marquis of Hamilton. The rebellion gave several persons opportunity to take the county without acknowledgment of petitioner's right. Prays the King's order for his title to be acknowledged and possession to be given. *Copy.* 1 *p.* *The whole endorsed.* Recd. 7 April. Read 15 April 1685. *Memo. in Entry Bk.* Referred to Law Officers 15 April. [*Col. Papers, Vol. LV., Nos.* 84, 84 I., *and* (*Order only*) *Col. Entry Bk., Vol LXI., pp.* 224-225.]

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April 6. Jamaica. **116.** Lieutenant-Governor Molesworth's instructions to Captain David Mitchell, H.M.S. Ruby. To convoy two Spanish ships to Porto Bello, and thence to proceed to the Bay of Darien, visit Golden Island and the Isle of Pines, and destroy piratical craft if possible. *Copy.* 1½ *pp.* [*Col. Papers, Vol. LV., No.* 85.]

April 7. **117.** Journal of Assembly of Barbados. No quorum. Adjourned to 5 May. [*Col. Entry Bk., Vol. XIV., p.* 23.]

April 8. Council Chamber. **118.** Order of the King in Council. Report of Lords of Trade and Plantations to the King. We have received Governor Cranfield's answer to the charges of Nathaniel Weare. We find that Governor Cranfield has not pursued his instructions in reference to Robert Mason's claim to the property of New Hampshire, having caused titles of land to be tried in the Courts of the Province instead of sending the cases to England in case his own mediation should fail. We think again that he ought not to have raised the value of foreign coins without your direction. We recommend that he be so informed; that the differences between Robert Mason and the planters be decided; that William Vaughan have liberty to appeal against the judgments given against him in his private case, whereby you will best be able to judge of Mason's right and title; and that till that case be heard all proceedings at law relating to the said title do cease until your further pleasure be known. *Dated* 27 March 1685. Ordered in Council accordingly. [*Col. Entry Bk., Vol. LXVII., pp.* 138-139.]

April 9. **119.** Minutes of Council of Jamaica. The Governor reported that he had advice, at second hand, of the death of King Charles II. Order for proclamation of King James on confirmation of the news. Adjourned *sine die.* [*Col. Entry Bk., Vol. XXXVI., pp.* 81-83.]

April 10. Whitehall. **120.** Circular. Lords of Trade and Plantations to the Governors of the Colonies. Ordering strict observance of the Acts of Trade and Navigation; all foreign vessels trading with the Plantations to be seized, excepting Spanish ships that come to buy negroes. [*Col. Entry Bk., Vol. XCVII., pp.* 142, 143.]

April 11. **121.** Minutes of Council of Nevis. Sir William Stapleton's Commission of Admiralty read, appointing five members, any three of whom to form a Court. [*Col. Entry Bk., Vol. XLVIII., p.* 64.]

April 13. **122.** Minutes of Council of Jamaica. The Lieutenant-Governor communicated a letter from the Lords of Trade of 6 February and from the King of 15 February, which had arrived on the evening of the 16th; and reported that the new King had been proclaimed at St. Jago de la Vega and Port Royal on the following morning. The Council passed an address of loyalty. Judge White announced that Colonel Thomas Freeman, who was absent through sickness, desired to express his hearty concurrence with the address. Adjourned *sine die.* [*Col. Entry Bk., Vol. XXXVI., pp.* 80-81.]

April 13. **123.** Lieutenant-Governor Molesworth to Lords of Trade and Plantations. Reporting the proclamation of King James II., the publication of the King's proclamation continuing officers in their places, and the transmission of a loyal address from the Council.

Copy. 1½ *pp. Endorsed.* Read July 15 1685. [*Col. Papers, Vol. LV., No.* 86, *and Col. Entry Bk., Vol. XXXI., pp.* 48-49.]

[April ?.] **124.** Address of the Lieutenant-Governor and Council of Jamaica to the King. Sorrow at the death of King Charles, joy at the peaceful accession of King James. *Signed,* Hender Molesworth, F. Watson, John Cope, Cha. Modyford, Tho. Ballard, J. Fuller, John White, John Bourden, Samuel Barry. *Large sheet. Endorsed.* [*Col. Papers, Vol. LV., No.* 87, *and Col. Entry Bk., Vol. XXXI., pp.* 50-51.]

April 14. **125.** Lords Proprietors of Carolina to Governor Joseph West. Warrant for a grant of 500 acres of land to James Du Gué. *Signed,* Craven, Albemarle, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 58.]

April 14. **126.** The same to the same. Warrant for a grant of 300 acres of land to Isaac Fleury. [*Col. Entry Bk., Vol. XXII., p.* 59.]

April 15. **127.** Journal of Lords of Trade and Plantations. The Bishop of London's letter as to ecclesiastical jurisdiction read (*see No.* 130). Agreed to consider it when his lordship is present.

Lord Arran's petition read and referred to the Law Officers, and Lord Culpeper's petition likewise. Mr. Wharton to be heard respecting his petition on 27th inst. (*see Nos.* 81, 91, 115).

Draft circular as to the Acts of Trade and draft letter to Governor Cranfield approved.

Sir William Stapleton's letters of 17 November, 13 December, and 7 January read (*see preceding volume*). The merchants to attend, touching the Act of Antigua.

Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 133-136.]

April 15. **128.** Roger Elletson to William Blathwayt. I send a faithful account of the transactions at the Council of 11 March. A sum of 667*l.* embezzled was admitted with little or no dispute. I proved a further sum of 400*l*, and two hundred pieces of eight taken from the house of one Ward, also six large pieces of plate taken from Spurre, and two hundredweight of cochineal. Sir Charles Modyford offered to swear in Council that the plate and cochineal were worth no more than 480*l.*, but in my judgment they were worth 800*l.* I proved also a diamond ring in the hands of Wilson's wife, and further sums amounting to 340*l.*, which the Council called perquisites. I hope to prove further embezzlement when Captain Davis arrives. *Holograph.* 1½ *pp.*

Duplicate of foregoing. [*Col. Papers, Vol. LV., Nos.* 88, 89.]

April 15. **129.** Account of pirates goods. Total 1,919*l.* 5*s.* 8*d.* *This concerns the charges of embezzlement against Sir Thomas Lynch* (*see No.* 57). The amount stated due to the King is 804*l.* [*Col. Papers, Vol. LV., No.* 90.]

[April 15.] **130.** The Bishop of London to William Blathwayt. Being unable to attend the Committee, I ask you to lay the three following propositions before it. (1.) That I may have all ecclesiastical jurisdiction in the West Indies, or in Jamaica at least, excepting

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the disposal of the parishes, licences for marriages, and probate of wills. (2.) That no schoolmaster be received from hence without my licence; or otherwise that he take the Governor's licence. (3.) That orders be given for establishing the donation at St. Andrew's parish, Jamaica. *Signed*, H. London. *Holograph.* 1 *p.* *Endorsed.* Read April 15, 1685. [*Col. Papers, Vol. LV., No.* 91, *and Col. Entry Bk., Vol. XCVII., p.* 143.]

April 15. Council Chamber. **131.** Lords of Trade and Plantations to Governor Cranfield. Repeating the substance of the report of March 27th (*see No.* 118). [*Col. Entry Bk., Vol. LXVII., pp.* 140-141.]

April 16. **132.** Warrant of Lords Proprietors of Carolina for the grant of 500 acres of land to Charles Franchomme. *Signed*, Craven, Albemarle, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 59.]

April 17. **133.** Warrant of the same for a grant of 500 acres to Isaac Lejay. *Signed as the preceding.* [*Col. Entry Bk., Vol. XXII., p.* 58.]

April 17. St. Christopher's **134.** Minutes of a Council of War held at the Old Road. Two field officers, two captains, seven lieutenants, and seven ensigns present. Sergeants John Ruddle and Francis Holland, of the English Companies, were tried for mutiny. Sentence, to be shot by two files of their own men. [*Col. Entry Bk., Vol. XLVIII., p.* 39.]

April 19. **135.** Journal of Assembly of Nevis. The Council and Assembly agreed to the Governor's proposals that the Blackrock and Old Road forts be repaired, that ammunition should be supplied to the forts, limiting the purchase to twenty barrels, and that a standing guard should be appointed instead of the look-out. The Assembly proposed the enforcement of the Act compelling every merchant to have by him fifty-six pounds of powder. Referred to next meeting. [*Col. Papers, Vol. LV., No.* 40.]

April 20. Maryland. **136.** Nehemiah Blakiston to [the Commissioners of Customs]. The murder of Mr. Rousby has been and is daily seconded with very apparent tokens of approvement both by the murderer Talbot and by all his adherents, who are very busy in extenuating his crime, and have conspired to procure his escape from Virginia to Maryland, where he remains publicly known at his own house. There is little hope that he will be brought to justice, since he is in intercourse and correspondence with the principal magistrates. Since the murder I have been continually discountenanced and obstructed in my proceedings for the King's service by the chief persons deputed for the government of this Province. They have contemned and disowned my commission, torn and burnt my certificates to masters of ships, and diverted masters from applying to me, so that ships have been cleared and despatched without my privity, by which means I am sure that my transgressors have escaped and many frauds been undetected. Lord Baltimore's Council has arrogated power to depute another to be collector of the King's dues on several rivers; and because I refused to recognise them I have been served with warrants to appear before them, and threatened with trial and ruin. One Colonel Digges is especially domineering, and tells me that I shall not maintain my commission here except by great guns, as Captain Allen doth. Him they calumniate and call pirate, and they asperse both his commission and mine, but I mean to do my duty, and I hope that I shall have your support. I beg that you will move the King to put an end to the growing and intolerable insolences under which the King's officers have always suffered. I expect hard usage unless care be taken to check persecution of the King's service here. I am sure that the King loses several thousand pounds annually by the obstruction and confusion of his affairs here, and I doubt but the revenue from tobacco will be small this year, for many merchants bound for other plantations would have carried tobacco had they not been threatened by the aforesaid with seizure of their ships. I know of but two entries made with me and my deputies for tobacco in the whole province. I hear that some of the collectors have lately clandestinely cleared and received the King's duties of some tobacco, and shall make enquiry. Major Nicholas Sewall, one of the Council and Collector at Patuxon, entered some Irish and some other ships. Suspecting these the transgressors, I told Sewall of his irregularity, and demanded the cocquets and certificates of the ships, but Sewall deferred delivery thereof. Suspecting that I would order Captain Allen to seize the ships, he warned the masters and promised them all favour if they submitted their ships to be seized by him. This was done; and the ship was brought to condemnation by a private court appointed for the purpose, just to prevent the execution of our commissions. Some prohibited goods were in like manner seized and tried by the same Sewall and Major Darnall. They might have had witnesses and evidence enough to condemn the goods, but they acquitted them without calling the material witnesses. The ship which imported these goods was seized soon after by Captain Allen by my order, but a trial on the King's behalf was refused by one of the principal officers of Government. You will see what just cause of complaint the King's officers have. I have plenty more such information to give you, but for the present suspend it. No letter came from Mr. Rousby, nor his brother John Rousby, nor for myself either this year or last. I mention this that, in any case you should have sent us anything, you may be aware of the miscarriage. *Signed*, Nehe. Blakiston. 7 *pp. Endorsed.* Presented by the Commissioners of Customs. Read in Council 10 July 85. [*Col. Papers, Vol. LV., No.* 92.]

April 21. Boston. **137.** Governor Bradstreet to [William Blathwayt]. We received the letter reporting the accession of King James on 17 April, but deferred the proclamation till the 20th, to make suitable provision for the ceremony. Your intimation of the vacation of our charter by legal process was the first notice that we have received from any correspondent in England. We did not even hear of the issue of the *scire facias* in time to answer, so we hope that our not appearing will not be imputed to us as disloyalty, much less contempt. I shall not attempt to extenuate our faults, and have sometimes thought it much, considering our difficulties and the distance from England, that we have committed no more. This I must say, that many things have been urged and aggravated against us by some that bore us no good will, as for instance the

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50,000*l*. mentioned in the *scire facias*, when there was never 1,000*l*. raised in that account, nor above 2,000*l*. in any way for the expenses of Government. I trust that the King will forgive our faults and failings, and remit to us the liberties and little comforts that we have purchased at so dear a rate in this wilderness. *Signed*, S. Bradstreet. *Holograph*. 2 *pp*. *Endorsed*. Read at Committee June 11 1685. [*Col. Papers, Vol. LV., No.* 93, *and Col. Entry Bk., Vol. LXI., pp.* 227-228.]

April 21. Boston. **138.** William Stoughton and others to William Blathwayt. The 20th of April was appointed for the proclamation of King James II., and there was present in Boston a very handsome appearance of a thousand foot-soldiers and about a hundred horse and numbers of gentlemen and merchants. After a regular march through the town the proclamation was read amid acclamations and volleys of shot, particularly of about fifty pieces of ordnance from Noddle's Island by Mr. Shrimpton. Similar proclamation will be made at Salem. Nothing would be more reasonable and just than for the people here to have early sent their agents and a humble address for the King's favour, but we judge this impossible to obtain with any public satisfaction. We doubt not that the King will take care for the settlement of the colony. *Signed*, William Stoughton, Joseph Dudley, Peter Bulkeley, Samuel Shrimpton. 1 *p*. *Endorsed*. Recd. 5 June. Read 11 June 85. [*Col. Papers, Vol. LV., No.* 94, *and Col. Entry Bk., Vol. LXI., pp.* 226-227.]

April 21. **139.** Minutes of Council of Virginia. Resolved to address the King (*see next abstract*). [*Col. Entry Bk., Vol. LXXXIV., pp.* 210-211.]

April 21. **140.** The Council of Virginia to the King. His Majesty having taken from Lord Culpeper a release of the demise of the quit-rents, escheats, etc., of the Southern part of Virginia and appropriated the same to the benefit of the Government, we, with all gratitude, feel encouraged to ask that he would also compensate Lord Culpeper for Northern Neck, and treat that in like gracious manner. [*Col. Entry Bk., Vol. LXXXII., pp.* 333-334.]

April 22. Hartford. **141.** Governor Treat and the Council of Connecticut to Sir Leoline Jenkins. We received the news of the Accession of King James on the 19th instant, and proclaimed him this day at two of the clock. Favour us by presenting the enclosed address to the King. *Signed*, Robert Treat, Governor. John Allyn, Secretary. ½ *p*. *Annexed*,

141. I. Address of the Governor and Council of Connecticut to the King. Loyal rejoicings at his Accession, and hope for a quiet and peaceable life under the royal shadow. *Signed as the letter*. ½ *p*. *The whole endorsed*. Recd. 26 July 85. [*Col. Papers, Vol. LV., No.* 95, *and Col. Entry Bk., Vol. LXI., p.* 248.]

April 22. **142.** Warrant of the Lords Proprietors of Carolina for the grant of 3,000 acres of land to William Shaw. [*Col. Entry Bk., Vol. XXII., p.* 60.]

1685.
April 22. **143.** Minutes of Council of Barbados. (There was no quorum on April 7 and April 14.) The Governor shewed a letter signed by several of the Privy Council, a proclamation of King James II., and an Order in Council for alteration of the prayers. Order for the proclamation to be published. Address of the Council to the King; sorrow for the late monarch, loyalty to the new. [*Col. Entry Bk., Vol. XI., pp.* 588-591.]

April 23.
Barbados. **144.** "The March from Fontabelle [Government House] to the Town of St. Michael's for proclaiming our Gracious King James the Second." An account of the procession of regiments, horse and foot, and of dignitaries, to the place called Cheapside in St. Michael's, where the Provost Marshal repeated the proclamation after the Secretary. There was plenty of wine provided to drink the King's health; "had there been conduits they should have run "wine, instead of opening the heads of all the casks, which was "done that with more ease all people might drink the King's "health." 1 *p. Endorsed.* [*Col. Papers, Vol. LV., No.* 96.]

April 22. **145.** Petition and appeal of William Vaughan. (1.) Against a judgment given against him in New Hampshire, 6 November, 1686, in an action of trespass brought by Robert Mason. (2.) From a fine of forty pounds imposed at Quarter Sessions 6 May 1684 for beating and abusing Thomas Thurton, pretended deputy to Edward Randolph, of the King's Customs. (3.) From a judgment given against Nicholas Baker, master of the ketch Diligence in July 1684, of which vessel petitioner was principal owner. (4.) Against a decree of the Court of Equity by Robert Mason, as Chancellor and Judge, in a judgment obtained by Robert Mason against Richard Martyn, and another judgment obtained by Governor Cranfield against the said Martyn. *Signed,* William Vaughan. *Copy.* 7 *pp. Endorsed.* May 1681. [*Col. Papers, Vol. LV., No.* 97.]

April 23. **146.** Governor Cranfield to Lords of Trade and Plantations. I received yours of 6th February on the 19th inst., and have proclaimed King James II. I have also pardoned all rioters and fineable misdemeanours to invite the disaffected to be better subjects. *Signed,* Edw. Cranfield. 1 *p. Endorsed.* Recd. 26 July 85. *Enclosed,*

146. I. Order of the Governor of New Hampshire in Council for proclamation of King James II. on the night of the 18th [*sic*]. *Dated* April 18, 1685. *Copy.* 1 *p. Endorsed. as the foregoing.*

146. II. Commission of the Governor of New Hampshire to Robert Mason and Richard Chamberlain to administer the oaths of allegiance and supremacy to the inhabitants. 22 April, 1685. *Copy.* 1 *p. Endorsed as the foregoing.* [*Col. Papers, Vol. LV., Nos.* 98, 98 I., II., *and* (*despatch only*) *Col. Entry Bk., Vol. LXVII., p.* 146.]

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April 24. New Plymouth. **147.** Governor and Council of New Plymouth to Lords of Trade and Plantations. We received your letter of 6 February on the 20th inst., and proclaimed King James II. on this day "with the "greatest solemnity our mean condition would capacitate us unto," rejoicing at the appearance of people not only from all the towns, but from the remotest parts of the Colony. We pray for a long and happy life for the King, and crave to enjoy our wonted liberties, both civil and religious, "which to enjoy without offence to those worthy "persons who were otherwise minded was the main and known "ends at that first and difficult undertaking by the first adventurers "at their own proper charge into this wild and barbarous wilder-"ness." *Signed*, Tho. Hinkley, Govr. *Holograph*. 1 *p*. *Endorsed*. Recd. 26 July 85. [*Col. Papers, Vol. LV., No.* 99, *and Col. Entry Bk., Vol. LXI., pp.* 246-247.]

April 24. Jamaica. **148.** Lieutenant-Governor Molesworth to the Earl of Sunderland. I give further particulars of the piratical English in the South Seas. The small Island of Perico, which they have taken, is well fortified by nature, wherein they have made a strong palisaded fort. Having taken at different times vast quantities of flour, they have doubled their palisades, and filled them up between with sacks of flour, which by rain and other means is so hardened that it will resist any shot that can be brought against it. So provident were they of their own security that they neglected to take a very considerable prize in order to seize twelve ship's guns, which they have mounted in the Island. It is now stated that all the English in the South Seas are collected in one body, that they are indifferently strong at sea, that the President of Panama sent out five ships against them which were beaten back with loss of the commanding officer, and that the President agreed upon a truce, and during the truce sent a fireship among them, without success. They are said to intend to intercept the Lima fleet, and to be strong enough to do so. I heard yesterday of six privateer ships that had been burnt in the Bay of Darien, from which seven hundred men joined the rest, most of them French; also that two French privateers had landed two hundred and eighty more men, so that the whole party must now be two thousand strong, the majority and governing part being English. Captain Michel, a French privateer, was recently beaten off by the Spaniards from Darien with loss of his prizes. The French continue to issue Commissions against the Spaniard, on pretence of damage done them by piragues set out from Havana before the making of the recent truce in Europe. *Signed*, Hder. Molesworth. *Holograph*. 3 *pp*. [*Col. Papers, Vol. LV., No.* 100.]

April 24. **149.** William Blathwayt to the Attorney and Solicitor Generals. Referring to them the petitions of Lord Culpeper and others and the Earl of Arran, for report (*see Nos.* 91 I., 115 I.). [*Col. Entry Bk., Vol. LXI., p.* 325.]

April 25. **150.** William Blathwayt to the Merchants of the Leeward Islands. Forwarding copies of Acts, and directing their attendance. Memo. of their attendance on the 27th. [*Col. Entry Bk., Vol. XLVII., pp.* 183-184.]

1685.
April 25. **151.** Minutes of Council of Nevis. The letter of February 6th from the Lords of Trade read, also the King's letter of 15 February and the proclamation of the Accession of King James II. [*Col. Entry Bk., Vol. XLVIII., p.* 64.]

April 25. **152.** Journal of Assembly of Nevis. The Assembly agreed to a proposal of the Governor and Council for the immediate supply of fifty barrels of powder; and to a proposal that the Treasurer should meanwhile buy up all powder for sale in the Island. [*Col. Papers, Vol. LV., No.* 40.]

April 27. **153.** Journal of Lords of Trade and Plantations. Acts of Barbados considered. Sir Richard Dutton to be told that the passing of the Militia Act for three months is contrary to his instructions. The same to be said of the Act for securing possession of slaves. The remainder approved.

The Bishop of London's proposals agreed to (*see No.* 131). [*Col. Entry Bk., Vol. CVIII., p.* 144.]

Acts of Antigua read. The merchants to attend and state their objections if any.

Petition of Richard Wharton read (*see No.* 81). The Lords inclined to grant him so much land as he can improve in seven years, with liberty to fish so far as not to molest others.

Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 137-140.]

April 27.
Jamestown. **154.** The Secretary of Virginia to [the Earl of Sunderland]. All is well and quiet here, and there are hopes of lasting safety, thanks to Lord Howard's treaty with the Seneca Indians. For years they disturbed us, but there has been no alarm since the peace. In all parts of the Government the Governor's prudence, justice, and good conduct has brought even the worst of men to order. George Talbot, who was brought here for the murder of Mr. Rousby, has broken prison and escaped to Maryland, where he has been, to the full knowledge of the Government, for full six weeks. I neither excuse nor aggravate the slowness of the Government of Maryland to apprehend so notorious an offender. *Signed,* Nicho. Spencer. *Holograph.* 1½ *pp.* [*Col. Papers, Vol. LV., No.* 101.]

[April 27.] **155.** "Privileges craved by Mr. Wharton for a settlement of lands in the Province of Maine." (1.) Liberty of religion. (2.) Liberty to transport people of all nations that may be willing to come, such persons and their posterity, on taking the oath of allegiance, to enjoy the liberties of Englishmen. (3.) That all persons may for five years enjoy freedom from arrest for debts contracted out of the Colony, provided that within one year after arrival they apply themselves to improve their estates. (4.) That the Plantations, Harbour, and River be ordained a manor, and held directly from the King. (5.) That no action arising within the manor be tried without it, except exceeding 100*l.* (6.) That the lord of the manor may appoint ports for loading and unloading. 1 *p. Endorsed as headed.* Recd. 27 Apr. 85. [*Col. Papers, Vol. LV., No.* 102.]

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April 28. **156.** William Blathwayt to the Deputy-Governor of the Royal Africa Company. Forwarding copy of the Antigua Act of Extent, and fixing a time when he may attend the Lords of Trade thereon. Memorandum of the decision taken in consequence on May 5. [*Col. Entry Bk., Vol. XLVII., pp.* 184-185.]

April 29. Whitehall. **157.** Order of the King in Council. That copies of the appeal of William Vaughan (*see No.* 145) be sent to the Lords of Trade and Plantations for examination and report. *Signed,* Phil. Musgrave. [*Col. Entry Bk., Vol. LXVII., pp.* 141-142.]

April 29. Perth, East New Jersey. **158.** A brief intimation of the proclamation of King James II. "After the performance thereof the Governor entertained the "Council and gave the inhabitants a dinner, to their great content." *Scrap. Endorsed.* Recd. 8 July '85. [*Col. Papers, Vol. LV., No.* 103.]

April 29. St. Andrew's [Jamaica]. **159.** Roger Elletson to William Blathwayt. From new evidence I have ascertained the amount of cochineal taken from Spurre. This raises the balance due to the King to 804*l.* (*see ante, No.* 129). The same witness told me that Spurre's cocoa was sold at Petit Guavos from Sir T. Lynch, which was worth at least 400*l.* more; the sale of Spurre's sloop and negroes makes at least 320*l.* more. We hear strange reports of English and French privateers at Darien. *Holograph.* 1 *p. Enclosed.* [*Col. Papers, Vol. LV., No.* 104.]

April 29. **160.** Commissioners of Customs to Lords of Trade and Plantations. Forwarding a letter from Captain Allen giving a fresh account of the difficulty and danger of the King's Custom-Officers in Maryland. *Signed,* J. Werden, N. Butler, J. Buckworth, W. Dickinson, T. Chudleigh. *Copy.* 1 *p. Endorsed.* [*Col. Papers, Vol. LV., No.* 105.]

April 29. Barbados. **161.** Governor Sir Richard Dutton to Lords of Trade and Plantations. I received your Lordships' order of the 6th of February, signifying the death of our Gracious Sovereign, which was a great astonishment and sorrow to me, and would have been insupportable had not God been extraordinary kind to us in not suffering us to be a minute miserable, by blessing us with such a prince in his present Majesty. On receipt of your order, I summoned the Council for the following day, and on the 23rd I proclaimed the King; and I hope, considering the shortness of the time and the number of the people, that it was done with as great solemnity and order as in any of his dominions, and not only with acclamation but affection, though when I entered on this government there were few that durst give him, as Duke of York, the respect due to a private gentleman. I then published the King's other proclamation, though the judges tell me that they cannot act without new commissions in his name. I have, therefore, ordered them to adjourn the Courts of Common Pleas from time to time till my new commission shall arrive. The day after the King's proclamation Sir John Witham sent his lady to me, encouraged so to do (so she said) by some eminent friends at Whitehall, to demand his freedom. I asked her to show me the grounds of her proposal, or any order from the King, for he stands committed not by my warrant,

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but by the Court of Grand Sessions, and is the King's debtor for the fines imposed on him. *Signed*, Ri. Dutton. *Holograph.* 1½ *pp. Endorsed.* Recd. 10 July. Read 15 July 85. [*Col. Papers, Vol. LV., No.* 106, *and Col. Entry Bk., Vol. VII., pp.* 294-295.]

April 30. Barbados. **162.** Sir John Witham to Lord [Sunderland]. My most real thanks for your favour to me, which has relieved me from the malice of an implacable enemy, whom I never did justly offend, and who sought my life and ruin. Sir Richard Dutton will not understand the genuine sense of the words of the royal order of 15 January last, because it is not expressly said that I shall be restored again to my place in Council and discharged from all judgments, etc. The import of the words bears this sense, but he positively refuses to enlarge me or restore me or do anything for me till he receives further order. He seems to think that he has interest enough with the King to carry any matter as he pleases, though it be against the opinion and sense of the Lords of the Council. I make bold to enclose to you several matters wherein he has violated his commission and instructions, that the way of his proceedings may be rightly understood. For my part I never durst deviate from them; and the only fault alleged against me was that I would never be seduced to lessen the King's authority. Sir Richard acts against his instructions at all times when he is tempted with money or any gift that is valuable, and his quarrel with me was only because I would not give him 812*l.* 10*s.* 0*d.*, the amount of my salary. I have been so much afflicted with sickness when Sir Richard took his opportunity to persecute me that I shall never perfectly recover my health till I return to England. I should have returned before now if Sir Richard Dutton had not hindered me. I beg you to procure me permission to return to England, and there answer all charges against me. *Signed*, Jno. Witham. P.S.—I perceive Sir R. had an eye upon a large part of the fruits I had been this eighteen years a gathering. 2½ *pp. Annexed,*

162. I. Matters wherein Sir Richard has acted against his commission and instructions. (1.) In receiving gifts without first obtaining the King's approbation, contrary to an instruction of 15 December 1682. A new order of 15 January 1684 is directed to be entered in the Assembly and Council Books; but though he has received this latter order ten days he has not yet appointed it to be registered. (2.) He enquires where titles to estates are defective, and threatens to take away the land unless the owners compound with him. He then issues grants, which he has no right to do, and has thus made large sums. He also collects the Escheats, but has never accounted for the money so received. (3.) He has appropriated the whole profits from the condemnation of an interloping ship, and will not give a farthing to anyone else. (4.) He has made a contract with Mr. Banckes, a Jamaica merchant, to give Spaniards liberty to trade here; for which they are to pay him

1,500*l.* annually. (5.) The Assembly recently passed an Act for renting the revenue of the four-and-a-half per cent. duty. He made an agreement with some members of the Assembly, and they consented to give him 1,500*l.* to pass the Act and use his interest with the King to obtain the Royal Assent. (6.) He keeps in his own hand some 400*l.* value of the estate of James Holloway, the traitor, who suffered at Tyburn in April 1684, not paying it into the Exchequer. (7.) He turned John Daniel, Chief Judge, out of his place because of his affinity to Sir John Witham, contrary to his instructions to remove no judge without just cause. (8.) He suspended Sir John Witham from the Council without charge, evidence, or trial, contrary to his instructions. (9.) He still keeps Sir John Witham in prison, notwithstanding the King's order of 15 January, and though it is addressed to himself and Council has never communicated it to the Council. 3¼ *pp.* [*Col. Papers, Vol. LV., Nos.* 107, 107 I.]

April 30. **163.** Journal of Assembly of Nevis. The Governor, Council, and Assembly acceded to the request of the merchants that the fifty-six pounds of powder, ordered to be kept in their houses, might be stored in the magazine. The Governor and Council agreed to contract with Robert Helmes for twenty-two barrels of cannon-powder and eight of pistol-powder at 800 lbs. of sugar per barrel. Address of loyalty voted to King James II. [*Col. Papers, Vol. LV., No.* 40.]

April 30. **164.** Minutes of Council of St. Nevis. The oath of allegiance was administered to the Deputy-Governor, Council, and Assembly. [*Col. Entry Bk., Vol. XLVIII., p.* 65.]

April 30. **165.** Petition of John Custis to the King. Bringing forward his loyalty during Bacon's rebellion, and begging restoration to the Council and other offices which were disposed of to others owing to a report of his death. *Inscribed below.* Order of the King referring the petition to Lords of Trade and Plantations for report. Whitehall, 30 April, 1685. *Signed,* Sunderland. 1 *p. Endorsed.* Recd. 5 May 85. Read same day. [*Col. Papers, Vol. LV., No.* 108, *and* (*order only*) *Col. Entry Bk., Vol. LXXXII., p.* 323.]

May 5. **166.** Journal of Lords of Trade and Plantations. Mr. Randolph's representation read, setting forth that an impartial Court to try causes between the Colonies. Order for Mr. Randolph to draw up particulars for a writ of *quo warranto* against their charters.

Petition of John Custis read. The Lords agreed in their report (*see No.* 180).

Mr. Wharton's proposals as to settlement of Pojebscot read (*see Nos.* 155, 169), also Colonel Dongan's letter of 18 February to Sir John Werden (*see No.* 23). The Proprietors of East New Jersey ordered to attend next Saturday. Mr. Blathwayt to attend the

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Lord Treasurer's, touching the house, garden, and farm mentioned by Colonel Dongan.

Acts of Antigua read. The merchants stated their objections against the Act of Extent. Agreed that the Act be repealed by the King, and the Governor censured for not repealing the former Act according to instructions.

Petition of Alexander Pollington and others read (*see next abstract*). Petitioners ordered to make out their titles; the Act for quieting possession to remain unconfirmed meanwhile.

Petition of William Vaughan read. Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 140-147.]

[May 5.] **167.** Petition of Alexander Pollington to Lords of Trade and Plantations. My father was one of the most ancient planters in Antigua, spent at least 3,000*l.* there, and lost five sons, who all died in the Island. He died possessed of two plantations, called the Body and Fig-tree, but died before he settled them; so that they are now detained by others. I pray leave to make out my title to them. *Copy. Inscribed.* Read 5 May 1685. 1 *p.* [*Col. Papers, Vol. LV., No.* 109.]

[May 5.] **168.** State of the case of Alexander Pollington; setting forth his claims to the estates in Antigua. *Large sheet. Endorsed but undated.* [*Col. Papers, Vol. LV., No.* 110.]

[May 5.] **169.** Mr. Wharton's proposals for settling lands in the province of Maine. (1.) Every person to have a sufficient quantity of land for maintenance of himself and family, provided he improve it. (2.) Everyone to have free liberty to fish in any of the rivers that run through the said land. (3.) All the King's subjects to have free liberty to fish on the coast, and bring their fish ashore without paying anything for trading. (4.) All ships from England to have licence to fish in the rivers, on reasonable payment for such licence, and on condition that they dispose of the goods they bring from England in the settlement. 1 *p. Endorsed as headed.* Read 5 May 1685. [*Col. Papers, Vol. LV., No.* 111.]

May 5. **170.** William Blathwayt to William Dockwra. Ordering the attendance on the Lords of Trade of the Proprietors of East New Jersey. *Draft, corrected.* ½ *p.* [*Col. Papers, Vol. LV., No.* 112.]

May 5. **171.** Journal of Assembly of Barbados. The House being dissolved by the death of the late King could not meet pursuant to adjournment. [*Col. Entry Bk., Vol. XIV., p.* 23.]

May 5. **172.** Lords Proprietors of Carolina to Governor Joseph West. Our meaning in the 28th article of our instructions of 12 March is this: You will suffer no Indians to be sent away from Carolina on any pretence whatever, unless there should happen to be a war between the English and the Indians, and that the Parliament, for the encouragement of the English soldiers employed therein, should promise provision to them to make the best advantage of their

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prisoners; in which case we allow Parliament to grant licence for such individuals as are taken in the war to be transported; always provided that the Indians so licensed to be transported be first produced before Parliament and examined by interpreters as to the circumstances and fact of their capture. The licence is to mention the name of the Indians and their tribe, and is to be passed by the same form as other Acts of Parliament; so that the barbarous practice of enslaving and transporting Indians by way of trade may be prevented. *Signed*, Craven, Albemarle, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 60.]

May 5. **173.** Informations of Dr. Henry Woodward, as to his arrest by Lord Cardross; and of John Edenburgh as to Lord Cardross's prohibition to him to trade with Indians within his borders. Copy of warrant for apprehension of Lord Cardross. [*Col. Entry Bk., Vol. XXI., pp.* 138-139.]

May 6. **174.** Information of several Yamasee Indians, that the Scots at Port Royal sent an emissary to persuade them to go to war with some neighbouring Indians who had a Chapel and a Spanish friar, and gave them arms for the purpose. They did so and brought back twenty prisoners as slaves to the Scots and a manuscript of prayers, produced. Sworn before Robert Quarry and others. [*Col. Entry Bk., Vol. XXI., p.* 140.]

May 6.
Whitehall. **175.** Order of the King in Council. Referring the petition of Sarah Harrison, praying to be admitted as the King's tenant for lands at Port Cagway, Jamaica, formerly held by her husband, to Lords of Trade and Plantations for report. *Signed*, Phi. Lloyd. ½ *p. Endorsed.* Read at Committee 11 June 1685. *Memo.*—That Sir Philip Howard was instructed to examine the case. *Annexed*,

175 I. Patent for lands in Jamaica to Mark Harrison. *Anno* 1662. *Copy.* 2 *pp.* [*Col. Papers, Vol. LV., Nos.* 113, 113 I., *and Col. Entry Bk., Vol. XXXI., pp.* 38-39.]

May 6.
Whitehall. **176.** Order of King in Council; referring the petition of Richard Young to Lords of Trade and Plantations for report. *Signed*, Phi. Lloyd. *Annexed*,

176. I. The petition referred to. Petitioner forfeited his bond of two thousand pounds by carrying Samuel Hanson from Barbados without a ticket. Begs for copies of all the proceedings, which were refused to him in the Island, and that he may be heard by counsel before the Board. *Copy.* 1 *p. The whole endorsed.* Recd. 18 Aug. 85. Read, 2 and 9 Sept. and 17 Oct. 85. [*Col. Papers, Vol. LV., Nos.* 114, 114 I.]

May 6.
Newport. **177.** Address of the Governor and Council of Rhode Island to the King. Congratulations on his accession. *Signed*, John Sanford, Recorder. ½ *p. Endorsed.* Recd. 10 July 85. [*Col. Papers, Vol. LV., No.* 115.]

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May 7. **178.** Minutes of Council of Virginia. The letter of February 6th of the Lords of Trade read. Orders for the proclamation of King James II. The Council submitted five names, from which the Governor was requested to select two to go as Agents to ratify the Indian treaty. [*Col. Entry Bk., Vol. LXXXIV., pp.* 211-212.]

May 8. Whitehall. **179.** Order of the King in Council. Report of Lords of Trade and Plantations. On the petition of Walter Stephens and others (*see No.* 25) we find that Holloway's estate is undoubtedly forfeited to your Majesty, but since it is said that Moxon traded in partnership with him and knew nothing of Holloway's treason, we think that, on proof of the partnership, Moxon's share of the estate may be made over to the creditors. The Governors of the Colonies concerned may then be instructed to seize the effects and remit them to England. Dated 27 March, 1685. Ordered accordingly. *Signed,* Phi. Lloyd. [*Col. Entry Bk., Vol. XCVII., pp.* 169-171.]

May 8. Whitehall. **180.** Order of the King in Council. Report of Lords of Trade and Plantations. On the petition of John Custis (*see No.* 165) we recommend that he be at once restored to the Council, and that as to his other offices he apply to the Governor. Dated 5 May 1685. Ordered accordingly. *Signed,* Phi. Lloyd. [*Col. Entry Bk., Vol. LXXXII., pp.* 323-325.]

May 8. **181.** Order of the King in Council. On the petition of Captain Henry Mudd, whose ketch was captured by the pirate Juan Corso, recaptured by some English Buccaneers and carried to New York, that the Governor of New York might be directed to seize the said ketch. Ordered that the case be referred to Lords of Trade and Plantations for report. *Signed,* Phi. Lloyd. 1 *p. Endorsed.* Recd. 12 May 1685. Read 22 and 30 Dec. 1685. [*Col. Papers, Vol. LV., No.* 116.]

May 11. **182.** Minutes of Council of Jamaica. Resolved that, in consequence of recent disturbances, the negroes' market at the River's mouth be suppressed; Captain John Ellis with three files of Englishmen to execute the order, aided by quarter-master Martin with a squadron of horse. Order for proceedings against all who sell rum to negroes. Adjourned *sine die.* [*Col. Entry Bk., Vol. XXXVI., pp.* 84-85.]

May 12. New Hampshire. **183.** Governor Cranfield to Lords of Trade and Plantations. My last announced the proclamation of King James II. I send new copy of an affidavit against Robert Burnham for treasonable speeches. I am obliged to make use of my licence to go to Barbados or Jamaica, being much indisposed here. *Signed,* Edw. Cranfield. ½ *p. Endorsed.* Recd. 26 July 85. *Enclosed,*

183. I. Depositions of Joanna Chesley that on 26 April she heard Robert Burnham say that there was no speaking of treason at present against the King, for there was no

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King; that the Duke of Monmouth was proclaimed and crowned in Scotland, and gone for Ireland where he had raised an army; and that the Duke of York was not yet crowned, and it was a question whether he ever would be crowned. Confirmed by oath of Philip Chesley. Sworn before Richard Chamberlain, 30 April 1685. [*Col. Papers, Vol. LV., Nos.* 117, 117 I., *and* (*despatch only*) *Col. Entry Bk., Vol. LXVII., p.* 146.]

May 12. Virginia. **184.** Governor Lord Howard of Effingham to the King. Though hardly able to hold a pen for weakness, I must write of our joy at Your Majesty's accession, and our grief at the death of the late King. I hope to serve you faithfully as I served him. *Signed*, Effingham. *Holograph.* 2 *pp. Endorsed.* [*Col. Papers, Vol. LV., No.* 118.]

May 12. Fort James. **185.** Address of the Governor and Council of New York to the King. Loyalty and devotion. *Signed*, Tho. Dongan, Ant. Brockholes, J. Sprag, Lucas Santen, Frederick Flipson, J. Palmar, S. v. Cortlandt, Lewis Morris, John Young. Read 10 July 1685. [*Col. Entry Bk., Vol. LXVIII., pp.* 73-74.]

May 13. New York. **186.** The Mayor of New York to Sir John Werden. We enclose an Address of condolence and congratulation to the King, which we beg you to forward. Pray also acquaint the King that since he separated Delaware and the two Jerseys from New York the city has lost a third of its trade. We bear the burthen with willingness and submission, but we hope that the King will re-unite these parts and enlarge this Government eastward. *Signed*, G. Minniell, Mayor. 1 *p. Endorsed.* Recd. from Sir J. Werden 12 July 1685. Read July 15th. *Printed in New York Documents III.*, 361. *Annexed,*

186. I. The Address referred to. *Large sheet. Signed*, G. Minniell, Mayor; Ja. Graham, Recorder; W. Bayard, John Robinson, N. W. Stuyvesant, John Lawrence, Andr. Browne, Isaac van Vlecq, Aldermen; Sàm. Wilson, Ian Henderek Bruyn, Johannes Sey, Alra. Corbett, Common Councillors; John Tuder, Sheriff; John West, Town Clerk. [*Col. Papers, Vol. LV., Nos.* 119, 119 I., *and Col. Entry Bks., Vol. LXVIII., pp.* 67-69, *and* (*abstracted*) *Vol. LII., p.* 101.]

[May ?.] **187.** Governor Dongan to the King. A short letter of congratulation on his accession. "I believe Your Majesty hath a "whole crowd of importuners, so that I shall desire nothing for "myself, but entirely submit to Your Majesty's pleasure." *Signed*, Tho. Dongan. 2 *small pp.* [*Col. Papers, Vol. LV., No.* 120.]

May 13. Virginia. **188.** Governor Lord Howard of Effingham to Lords of Trade and Plantations. I apologise for not writing with my own hand, but I have been little out of my bed for the last three weeks. Your

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letter of February 6th has been duly received with mingled joy and tears. The King has been proclaimed. Thank God, all is quiet here. *Signed*, Effingham. 1 *p. Endorsed.* Recd. 10 July 85. Read at Committee 15 July 85. [*Col. Papers, Vol. LV., No.* 121, *and Col. Entry Bk., Vol. LXXXII.*]

May 13. **189.** The same to Lord Sunderland. I have been ill with a violent fever, which has reduced me to great weakness. We have proclaimed the King, and the Council desire you to further our address to him. All is quiet here, though some pilfering pirates have done damage to the inhabitants, but I have taken and executed the chiefest of them. A French man-of-war has been driven here in distress. I have shown her all civility. *Signed*, Effingham. 1 *p. Endorsed.* [*Col. Papers, Vol. LV., No.* 122.]

May 13. Whitehall. **190.** Order of the King in Council. Referring the petition of Robert Orchard to Lords of Trade and Plantations, to consider an instruction thereon to be given to Colonel Kirke, who is going Governor to New England. *Signed*, Phi. Lloyd. ½ *p. Annexed*,

190. I. Petition of Robert Orchard. Recounting the story of his grievance against the Government of Massachusetts, and the report of the Lords of 3 November 1683 (*see preceding volume, No.* 1352) delaying redress till the Charter of Massachusetts should have been vacated. The Charter being now void, prays for relief. *Copy.* 2 *pp. The whole endorsed.* Recd. 5 May. Read 18 May 85. [*Col. Papers, Vol. LV., Nos.* 123, 123 I., *and* (*order only*) *Col. Entry Bk., Vol. LXI., p.* 354.]

May 14. **191.** The King to Governor Cony. We have received your letter to Lord Nottingham, and sundry articles against you from William Milbourn and William Righton. Copy of the articles are enclosed. You will give all facilities for the collection of evidence, and transmit such evidence to us. *Countersigned*, Sunderland. Certificates from Francis Burghill and John Jauncye that they received copies of above. *Copy.* 2 *pp. Endorsed.* Recd. from Bermudas 19 May 86. [*Col. Papers, Vol. LV., No.* 124, *and Col. Entry Bk., Vol. XVII., pp.* 130-131.]

May 15. Virginia. **192.** The Secretary for Virginia to the Earl of Sunderland. On the 7th inst. the Governor received the news of the late King's death. His present Majesty was proclaimed with all possible ceremony and solemnity. At the end of last winter we were much troubled by skulking pirates, who are now taken and hanged. A French man-of-war has been here to wood and water and refit. Many thanks for obtaining for me leave of absence for a year. *Signed*, Nicho. Spencer. *Holograph.* 2 *pp. Endorsed.* [*Col. Papers, Vol. LV., No.* 125.]

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193. Lieutenant-Governor Molesworth to William Blathwayt. Ten days ago arrived Don Baltasar Beck, a Dutch gentleman bred in Spain, bearing the Royal cedulas of the King of Spain in favour of Don Baltasar Coymans—to whom the King has committed the sole management of the Assiento—for the introduction of negroes into the Spanish Indies, and for taking of all effects whatsoever out of the hands of Porcio and his Agents. This was done on a suggestion that Porcio was wholly incapable of carrying it on for want of money; but from all that appeared here, the want was not of money, but of negroes. Having communicated his powers to me, he desired me to secure both the person of Porcio's agent and all effects in his hands belonging to the Assiento; to which I answered that this was impossible except by due process of law, that the Island itself was a kind of prison, which he could not leave nor send goods from without authority, and that I could not judge of the validity of his powers until I knew how they had been respected by the King of Spain's Ministers in the Indies. He thought this reasonable, not doubting to hear soon of the ratification of his powers in the proper quarter. Meanwhile the two parties kept making demands and protests, etc., complaining each that I was partial to the other, though I did my best to be indifferent. Beck tries to make me believe that he is come, not so much to take away the business, as to establish it on a better foundation, and that he hopes to hear from London of a contract with the Royal African Company, acknowledging (as is true) that the negro-trade could not be driven so advantageously for the Assiento from any port in the Indies as from this. I told him that he would not want encouragement. He then made the following proposal as absolutely essential for the settlement of a trade here, viz., that Coymans should be protected, as he was by the Spanish King's letters in the Spanish Indies, from any suit by Porcio for debts due to him. I answered that I could deny my King's justice to no one, but that I would write him for instructions, and meanwhile would do what I could to protect him against the creditors of the Assiento. I beg for instructions, and hope that my conduct will be approved.

On the 14th Captain Stanley returned from looking after the wreck, without further success than to increase his confidence of finding it at the next attempt, having, as he says, only failed now through bad weather and want of provisions. He was twice beaten off by a north wind, and was obliged to put into Porto Rico for stores before he could find the reef he sought for, which he did on the 1st April. But the bank being of great length, the weather dark and hazy, and no observations being possible by sun or stars, he was forced by bad weather to bear up for this port. He is now very confident that the rocks on which the wreck was sunk are on this bank, and that all previous searchers have gone to the wrong bank. His calculations, compared with other information, make me entertain much fairer hopes than ever before of the venture. As soon therefore as the weather breaks up, and Stanley can provide himself with an astrolabe to take an exact observation, I shall send him off again and a sloop with him. He is so confident of finding it, weather permitting, that he told me he would forfeit all the wages due to him (about 300*l.*) if he did not. He would have preferred the month of September, but as we hear of two other vessels bound on the same design, one of them, with a Spaniard aboard who was cast away in the wreck, it is necessary to lose no time. We have the advantage of knowing the latitude certainly better than any others. I am anxious to send him off at once also because Smith and the pilot are so impatient that they may leave us and apply to others. Stanley as he came in saw an interloper in Port Morant, which had just landed her negroes, so he brought her in with him.

Captain Mitchell, of the Ruby, writes that on the 19th April he came up with Grammont, Laurens, Yankey, Banister, and Jacobs, all great ships. He sent aboard Grammont to know why an English ship was sailing under French colours, and demanded the arrest of Banister for serving under a foreign commission, but they all said that he had not entered the King of France's service, so Captain Mitchell thought best not to insist further. I could give Mitchell no particular instructions as to Banister. He was acquitted of piracy here, and his stealing out of port was no more than a debtor running away from his creditor, so that I could not see how to justify an order to bring him in by force. His ship having been sold to the French, and I do not know how to get her out of their hands. Mitchell advises me that the French are making up a fleet of twenty-two sail at the Isle of Pines for some design which is kept very secret. He supposes to be against the galleons which were to sail this month from Carthagena for Porto Bello, but I rather suspect it may be against Carthagena itself as soon as the galleons are gone, the place being weakened by detachments from Lima and Panama. Michel, the privateer, is gone to the South Cays of Cuba to take three Dutch ships that are trading there. It will be an advantage to our traders to have them discouraged. *Signed*, Hder. Molesworth. *Holograph.* 8 *pp. Enclosed.* Recd. 1 Aug. [*Col. Papers, Vol. LV., No.* 126, *and Col. Entry Bk., Vol., XXXI., pp.* 57-68.] *Annexed,*

193. I. (1.) Grant by the King of Spain to Don Baltasar Coymans, of the Assiento, or patent right of importing slaves to the Indies, in succession to the previous patentees for said importation of negroes, Don Juan Barroso and Don Nicholas Porcio; all for two years, employing a total tonnage of three thousand tons, and under specified contracts with and payments to the Administration. *Dated* Madrid, March 25, N.S. (2.) Order by the same, directing loyal assistance to be given to the same against Jews or others for suppression of papers or frauds. *Same date.* (3.) Similar to (1), but dated March 5. (4.) Similar to (2), ordering legal protection to Coymans against any disturbance by Porcio. March 25, 1685. (5.) Order signed by Andres de Ribera, Secretary to the King, revoking and cancelling the previous rights granted to Barroso and Porcio. Madrid, March 15, 1685. *Spanish. Printed, with signatures written,* 13 *pp.* [*Col. Papers, Vol. LV., No.* 126 I.]

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May 18. **194.** Information of Reuben Willis, George Franklyn, William Parker, and John Wilson. As to the arrest of themselves and Dr. Henry Woodward by warrant of Lord Cardross, in spite of their commission from the Grand Council of Carolina. [*Col. Entry Bk., Vol. XXI., p.* 137.]

May 20. **195.** Certificate of Edwyn Stede. That the rumours that an overture was made by Sir Richard Dutton, through Stede, to Sir John Witham, offering to stand his friend if he should assign the half salary to him, are untrue. *Witnesses,* Henry Walrond, Stephen Gascoigne, William Walley. [*Col. Entry Bk., Vol. VII., pp.* 371-372.]

May 21. **196.** Edward Lloyd to William Blathwayt. Mr. William Vaughan and Mr. Nathaniel Weare have to-day entered into bond in 500*l.* to prosecute their appeal effectually. 1 *p. Endorsed.* [*Col. Papers, Vol. LV., No.* 127.]

May 21. **197.** Circular. Lord Rochester to the Governors of the Plantations. Directing them to search for and seize any effects belonging to James Holloway (*see No.* 179). [*Col. Entry Bk., Vol. XCVII., p.* 171.]

May 22. Council Chamber. **198.** Lords of Trade and Plantations to the Deputy-Governor of New Hampshire. We transmit a copy of William Vaughan's appeal (*see No.* 145) for communication to Robert Mason, and all others concerned. The case will be tried on the first Tuesday after Midsummer-day, 1686, when all parties will attend personally or by their agents. You will give liberty of access to all records and for taking of depositions. *Signed,* Guilford, Rochester, Halifax, Clarendon, Ormond, Sunderland. [*Col. Entry Bk., Vol. LXVII., pp.* 142-143.]

May 22. Nevis. **199.** Deputy-Governor Burt to Lords of Trade and Plantations. On receipt of your letter of 6 February I at once convened the Council and Assembly, when your letter and the proclamation were publicly read. The King was proclaimed by the field-marshal at the head of both regiments on the following Thursday, amid the acclamations of all. *Signed,* Wm. Burt. *Holograph.* 1½ *pp. Endorsed.* Recd. 25 July 85. [*Col. Papers, Vol. LV., No.* 128, *and Col. Entry Bk., Vol. XLVII., p.* 190.]

May 22. **200.** Minutes of Council of Barbados. Order for issue of writs for election of a new Assembly. The King's letter of 28 March read. Orders given accordingly (*see following abstracts*). Order that the King's proclamation be held sufficient to validate the execution of their duty by judges and magistrates. The King's order in Council appointing four new Councillors read. John Hothersall sworn. Order for the Provost Marshal to give the Governor a list of all the Justices that were in the Commission for holding last Grand Sessions. [*Col. Entry Bk., Vol. XI., pp.* 592-596.]

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May 22. **201.** Extract from Minutes of Council of Barbados. Ordered, in accordance with the King's letter of 28 March last (*see No.* 97), that full liberty be given to Sir John Witham to take depositions. *Copy.* Certified by Edwyn Stede. 1 *p.* [*Col. Papers, Vol. LV., No.* 129.]

May 22. **202.** Extract from Minutes of Council of Barbados. Ordered that all legal proceedings against Sir John Witham be suspended. *Copy.* 1 *p.* [*Col. Papers, Vol. LV., No.* 130.]

May 22. **203.** Sir John Witham's bond in 12,000*l.* to prosecute his appeal to the King and Council in England. *Signed,* William Chester, Attorney-General. *Copy.* ½ *p.* [*Col. Papers, Vol. LV., No.* 131.]

May 23. Philadelphia. **204.** Report of the Proclamation of King James II. by the President and Council of Pennsylvania. *Signed,* Tho. Lloyd, President; Richard Ingelo, Cler. Con. ½ *p.* *Endorsed.* Read at Committee, 18 Aug. 85. [*Col. Papers, Vol. LV., No.* 132.]

May 28. Somers Islands. **205.** Attestation of Christopher Smith. That it was commonly reported at the Bahama Islands in April that Thomas Henley and Christopher Goff had been proclaimed pirates at Jamaica. *Scrap. Endorsed.* Recd. 17 July 85. [*Col. Papers, Vol. LV., No.* 133.]

June 2. **206.** Minutes of a Council held at Charlestown, Carolina. A second warrant issued for the apprehension of Lord Cardross (*see No.* 173) and others. The Marshal's return of the warrant. [*Col. Entry Bk., Vol. XXI., p.* 141.]

[June 2.] **207.** Account of several sums of money, etc., seized as piratical goods, and condemned to the King's use. Total, 8,576*l.* 1 *p.* *Endorsed.* June 2, 85. To be sent in a letter to Mr. Blathwayt to consider and report to my Lord his opinion. *The document evidently emanates from Roger Elletson* (*see Nos.* 67, 128, 159). [*Col. Papers, Vol. LV., No.* 134.]

June 2. **208.** Minutes of Council of Barbados. The Members of Assembly were sworn in. Henry Quintine and John Gibbes sworn of the Council. Order as to the taking of depositions in the matter of Sir John Witham. The Assembly presented Judge Reid as their speaker. The Governor announced that he was ordered to return to England.

June 3. Bill for impost on wines and liquors brought up by the Assembly, read thrice and passed. The Assembly hoped to have the Militia Bill ready to-morrow.

June 4. The Assembly brought up the Militia Bill, which was amended; a small Bill for a present to Captain Jones, of H.M.S. Diamond; and a Bill to continue expiring Acts. Adjourned to 16th. [*Col. Entry Bk., Vol. XI., pp.* 599-601.]

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June 2. **209.** Journal of Assembly of Barbados. List of Members.

John Codrington Richard Barratt	St. Michael's.
William Forster John Berringer	St. Peter's.
John Farmer John Davies	St. Thomas.
John Leslie John Bromley	St. John's.
Robert Bishop Richard Elliott	Christchurch.
Michael Terrell Samuel Lambert	St. Lucy.
John Reid Thomas Helmes	St. James.
Samuel Smith William Fortescue	St. Philip.
Abel Alleyne John Mills	St. Andrew.
Paul Lyte Richard Salter	St. George's.
John Waterman Edward Binney	St. Joseph's.

John Reid chosen Speaker, and approved by the Governor. The petition and appeal of Sir John Witham, with the Order in Council thereon, read.

June 3. Act for an impost on liquors continued for eighteen months. 500*l.* voted to Sir R. Dutton for his expenses in prosecuting the commutation of the four and a half per cent. duty, and 500*l.* to Henry Walrond to defray his expenses in going to England. Act to prevent trading with negroes read and passed.

June 4. Militia Bill debated. Freemen billeted on other persons to receive 7½*d.* per day. Bill passed. A present of 100*l.* to Captain Jones carried. Bill to continue expiring Acts read and passed. Adjourned to 16 June. [*Col. Entry Bk., Vol. XIV., pp.* 106-109.]

June 4. **210.** Governor Cony to the Earl of Sunderland. I have received your letter and my Commission and Instructions. Pursuant to orders I have seized upon all the great guns for the King's use. The small arms are still in the hands of the militia, until they can provide some of their own, which I believe they will not, having in part declared as much. The slaves which I had in my possession at my first coming remain in my custody; but as to the Colony's slaves, born in private houses of their females, when let out for a term of years, no one will part with them. These are the positive words of the Council: "If the King will have them, "let him proceed at law. They were born in our houses, and we "will keep them." It is a custom here that when one man's slaves marry with another's, the two masters divide the children

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among them. If this custom should extend to the Colony's slaves, the Bermuda Company had in this way to the value of four or five hundred pounds, if they could be discovered. As to the custom on tobacco, they are so far from being willing to pay it that they privately convey it in their own bottoms to other parts, New England, Barbados, etc., pretending that from those ports it shall be transported to England. If it must pay custom (say the people) let it pay it there; and the better to palliate the discovery, they stow it in cask lined with fish. I have sent home one barrel discovered by the searchers, for demonstration. In the long run none of this reaches the Custom House in London or elsewhere, for it is passed on to other ships in the night, and transported to divers countries. Till I can call an Assembly I only desire them to bring their vessels under my command, and make a due entry of what they ship off or import in the Secretary's Office, that hereafter custom may be paid, but they refuse to come under my command to be searched, calling it an oppression to the subject. The few that do come under my command lie off seven or eight leagues at sea till the boats bring out the tobacco to them. This was a common fraud in the Company's time. By report these Islands make annually four or five hundred thousand weight. As to the King's lands, I have several times moved the Council to give me a particular account of these lands, the present tenants' names, and the pretences on which they held them, their due value, the perquisites of the Provost-Marshal and whence they arise, as well as those of other officers, in order to know if their perquisites be sufficient for their places. If they prove sufficient, the land attached to their offices may be turned to some other account, such as the defence of the country, which would revive it, for long contentions have made it decline. Here is almost thirty sail of trading vessels, and their owners are wealthy (though for the most part contentious), yet they pretend poverty, thwarting the Government, and enslaving the meaner sort of people, who would gladly live under Government. Timber is wholly destroyed, what with building vessels and selling them, with other sort of wooden ware, to foreign parts. When I prohibit it, they cry out, "What! are "you sent hither to enslave us? We are a free-born people; our "lands are our own, and we will do with our own what we please; "and if we do not like the King's Government, we can leave the "Island and go and live elsewhere. The Company was a Company "of rascals, and thought to have brought us under their command, "but now we find we are in a way to be perfectly ruined and "enslaved." This is their frequent discourse to me, for they esteem all government, not of their own establishing, to be slavery, and are now aiming to choose one Thomas Richards for their Governor. About fourteen whales have been killed this year. I have often asked the sheriff for an account of the oil, but without result. The people here are so allied that they will not disturb each other in any matter that concerns the King. A large whale is worth 80*l.*, all expenses paid. You may judge by this how considerable that royalty is. The people claim it as their property, belonging to their purchased lands.

I am in great need of powder and round shot for the castle and forts. I have mounted eighteen great guns, which for many years have been lying in dirt or under water, and the clearing of them, with other contingencies, caused great expense of powder, as also have frequent false alarms raised by the inhabitants, without cause or without knowledge of the people that actually raise them. I have presumed to send home Mr. Henry Bysshe; which is also his own desire. He has been a great incendiary, and still is, notwithstanding the King's Commission. If he remained here, it would be impossible to keep quiet. From the first day of his landing he has made such disturbance that I have not enjoyed two days of quiet since. With much ado I kept him in prison for several months, yet he has been as frequently resorted to by the discontented party as when at liberty. The people have seized upon a small French vessel that came upon the rocks, brought her into harbour, took away her goods, and would not permit her to come under my command, but permitted her seamen to range our channels. They disarmed the soldiers I sent to bring her under my command, and lastly piloted her out to sea, to steer what course she pleased. She left one Frenchman ashore, whom I have sent home with Captain Phips in H.M.S. Rose, to be examined by their Lordships. The poor man tells me he is afraid to tell the truth for fear of injury from the inhabitants. I have sent also the papers concerned. I suppose Captain Phips expects to be paid for his passage. Captain Henley, a privateer, lately arrived here in a Dutch ship, and, as is reported, landed 3,000*l*. or 4,000*l*. worth of Dutch goods. He was piloted in by one Zachariah Burrows, but the country would not permit his ship to come under my command. I laid hold of Henley, however, and imprisoned him; but the country forced me to set him at liberty. My very Council and captains of militia, though all protesting that they would bring him under my command, yet would not, nor would the sheriff lay his broad arrow on the goods he landed that account might be given to the King, in case the Dutch should redemand them. Since then Henley is proclaimed pirate in Jamaica, and one Goff, his companion, in New England. Henley had his commission from Governor Lilburne, of Providence: copy enclosed. It is the intention of the people to make this island a pirates' refuge. I expect two more pirates, by what Henley said, and daily dread the capture or plunder of the country. The discontented party at the King's Commission are old William Righton, William Peniston, Richard Stafford, George Bascom, Thomas Owterbridge, and Thomas Richards; for all expected, after the Company was dissolved, that the King would have left them to their own election of governor and government.

Pursuant to instructions I have honoured the late mournful and joyful occasion. By my last packet I received a letter addressed to the "first clergyman in Bermuda." By the seal I judge it to be from the Bishop of London. I also received a proclamation concerning prayers for the Royal family, but none of the clergy will receive it. Old William Righton said it belonged to him, for he was the oldest teacher in Bermuda. The letter is still by me. None of the King's affairs move forward here. Many articles I suppose are sent home against me. The people continually quarrel with me, and I am daily in danger of my life, yet I have never wronged any man a farthing. Bribes I never took, though Henley and the people offered me some hundreds of pounds. They are offended with me because I stand to my duty and the King's interest. They say they must and will be heard by the King, and that he must do them justice. In this way time is consumed, and nothing is done but railing at my commission and government. Contrary to my Commission, those whom they please must sit at Council with me, and this actually is the work of the Council themselves. They would impose unknown oaths on me; they would keep the forts without my commission and command the magazine. I must not imprison without consent of my Council; it is they that are to govern, and myself that is to subscribe to their orders. Truly, my lord, I am afraid that the country is betrayed. All would like to live on public lands, but neither pay for them nor do duty. There is much discontent among the clergy. Mr. Bond remains still bound: his petition is enclosed. The clamour of the country is that I have no power to govern but through the Duke of York, a Papist. The forts they will keep until they know better by what authority I command here. An address has been drawn up to the King, but I durst not sign it. It relished more of a petition, conditions and directions to the King, than an address. I told them their error, and gave them some gazettes to direct them, but all is slighted. What they intend to have I know not, but they are guided by Mr. Bish, who tells Captain Phipps that he does well not to meddle between the Governor and the country. They designed to send me aboard Captain Phips for England, if he would take me, on the following pretext, that seeing me in danger and myself timorous, I should desert my commission, and desire him to secure me from their fury. *Signed,* Richard Cony. *Holograph. Four very closely written pages. Endorsed.* Recd. 26 July 85. [*Col. Papers, Vol. LV., No.* 135.]

June 4. **211.** Governor Cony to Lords of Trade and Plantations. *This varies little from the foregoing.* 4 *closely written pages. Endorsed.* Recd. 26 June 85. [*Col. Entry Bk., Vol. XVII., pp.* 148-180, *and Col. Papers, Vol. LV., No.* 136.]

June 4. **212.** Abstract of a letter from Colonel Cony. The King's Commission was coldly received. Though confirmed by the present King, the Council tell him that he is no more than a justice of the peace, and that they will make him take what oaths they think convenient. The Captains of two of the forts, without commissions from him, say that they will keep them, yet do not duty there. The Council say they have as much to do at the Council Board as he. The Sheriff will not take notice of persons imprisoned by him. The Secretary is ignorant. Tobacco is daily transported clandestinely. Timber is sold and carried off to foreigners. The people will not supply arms and ammunition. The Council gives no accounts of the Crown lands. The people wilfully break their arms because they will not do duty. 1 *p. Endorsed.* Read 1 August. *On same sheets,*

Abstract of depositions transmitted by Colonel Cony 4 June last. 4 *pp.* [*Col. Papers, Vol. LV., No.* 137.]

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June 4. **213.** A collection of enclosures sent with the three foregoing despatches.

213. I. Attestation of John Harloe as to the forcibly seizure of a French wreck on the rocks of Bermuda by Christopher Burrows' men. *Dated* Jan. 15, 1684-5. 1½ *pp.* *Endorsed.* Recd. 17 July 85.

213. II. Attestations of Edmond White, Henry Harmer, and John Tucker that they went on board the wreck with Burrows, and brought off part of the cargo. *Superscribed*, Copy of the Governor's warrant for bringing in the wrecked vessels. *Dated* 20 Jan. 1684-5. *The whole.* 2 *pp.*

213. III. Deposition of Richard Stafford. That he had heard Henry Bysshe say many times that the resolutions of the judges in the book called Dalton were not law. *Dated* 20 Jan. 84-5.

213. IV. Declaration of William Bell, that Samuel Trott had advised him not to pay his rent. *Dated* 23 January 1684. *Scrap.* *Endorsed.*

213. V. Attestations of John Goodell, John Priestly, and William Young. As to further trespasses of Burrows and others on the wrecked French ship. 2 *pp.* *Dated* 6 February 84-5.

213. VI. Attestation of Christopher Burrows, that Bysshe warned to him to leave town and escape arrest. *Scrap.* *Dated* March 10, 1684-5.

213. VII. Petition of Henry Bysshe to the Governor of Bermuda, for release from prison, upon the resolution of judges on Statute I. Edw. VI., cap. 7. *Dated* 14 April 1685. 1 *p.* *Endorsed.* Recd. 17 July 85.

213. VIII. Copy of the resolution referred to in foregoing, that all patents of judges and justices are determined by the King's death. *Law-French.* *Scrap.*

213. IX. Resolution of the Council of Bermuda on Bysshe's petition, that he shall be sent to England. *Certified copy.* *Dated* 28 April 1685. *Scrap.* *Endorsed.*

213. X. Copies of Nos. VII., VIII., and IX. 1 *p.* *Endorsed.* Read 9 Sept. 85.

213. XI. Declaration of John Rongoe, a negro, as to clandestine shipment of tobacco to New England. *Dated* May 22 1685. *Scrap.* *Endorsed.* Recd. 17 July 85.

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213. xii. Address of Lieutenant William Jones, Captain Brangman, and twelve others to Lords of Trade and Plantations, testifying that the complaints against Governor Cony are groundless, and that he has approved himself a loyal and faithful subject. *Dated* 1 June 1685. 1 *p.* *Endorsed.* Recd. 26 July 85.

213. xiii. Petition of Sampson Bond, Minister to Governor Cony. A long argument to prove that the bond into which he had entered for good behaviour is void in law, ending with a request that the bond be cancelled. 2 *closely written pp.* *Endorsed.* Recd. 26 July 85. [*Col. Papers, Vol. LV., Nos.* 138 i.-xiii.]

[June 4?] **214.** Petition of the inhabitants of Bermuda to Lords of Trade and Plantations. There was much distraction caused in the Island at the dissolution of the late Company. Our condition is now worse, owing to the practices of persons unfriendly to kingly Government. It is useless to ask the Governor to change his Council, for we know not whom to recommend to him. Most of the present Council will not take the oaths of allegiance and supremacy. The Governor has done no injury to any in the Island, but has striven to do his duty; but he is only one, and has none to help him. We beg you to represent our condition to the King. *Signed,* Francis Tucker, Samuel Brangman, William Jones, John Britton. 2 *pp.* [*Col. Papers, Vol. LV., No.* 139.]

June 5.
Bermuda.
215. Governor Cony to Captain William Phips. Warrant to transport Sarah Oxford to England, and deliver her to the custody of the Earl of Sunderland as a principal abettor of Henry Bysshe. P.S.—Let no one know of this warrant till you are in the river as high as Gravesend. *Signed,* Richd. Cony. 1 *p.* *Endorsed.* Recd. 9 Sept. 85. [*Col. Papers, Vol. LV., No.* 140.]

June 5.
Council Chamber.
216. Lords of Trade and Plantations to Lord Howard of Effingham. Sarah Bland and Colonel St. Leger Codd have agreed to submit their differences to arbitration (*see No.* 36). If the arbitration fail you will summon the parties before you and determine the matter. *Signed,* Rochester, Halifax, P., Clarendon, C.P.S., Sunderland, Bridgewater, Craven, Ailesbury, Tho. Chicheley. [*Col. Entry Bk., Vol. LXXXII., pp.* 325-327.]

June 5. **217.** The Secretary of Barbados to Lords of Trade and Plantations. Sir Richard Dutton designs to embark for England on the 24th inst., when I shall give an account of the public papers and orders that he leaves with me. *Signed,* Edwyn Stede. ½ *p.* *Endorsed.* [*Col. Papers. Vol. LV., No.* 141.]

June 6. **218.** Depositions of Francis Powell, master of the sloop Speedwell. As to the capture of his sloop by a Spanish ship flying English colours at the Cays. The Spaniards took the ship, and sailed off towards Point Morant to land and rob some plantation. A Frenchman, whom they met, told them to try that of Captain

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Davis. They returned to South Cays without doing mischief, but were heard talking of a descent on another plantation.

Deposition of John Hill, of the Speedwell. Was forced to pilot the Spaniards into a port of Jamaica. The Spaniards threatened to come and attack Captain Davis's plantation again.

Deposition of Daniel Smith, confirming the above. Deponent escaped by swimming, but one of his comrades was killed by the Spaniards. Sworn on 6 June 1685. *Copies.* 8 *pp.* *Endorsed.* Recd. 23 Sept. 85. [*Col. Papers, Vol. LV., No.* 142.]

June 7. **219.** Address of the General Court of New Plymouth to the King. Regret at the death of the late King, who was gracious to the Colony, congratulations on accession, and petition for a Royal Charter, containing such rights, franchises, and privileges, especially religious, as may be necessary for good governments. *Signed.* Thos. Hinkley, Govr. *Large sheet.* *Endorsed.* Recd. 25 Sept. 1685. [*Col. Papers, Vol. LV., No.* 143.]

June 8. **220.** Governor Cranfield's Commission to Walter Barefoot to be Deputy-Governor of New Hampshire. [*Col. Entry Bk., Vol. LXVII., pp.* 148-149.]

June 11.
Maryland. **221.** Colonel William Digges to Lord Baltimore. King James the Second has been proclaimed with all possible ceremony and a great deal of joy. Though our neighbours, having early information, could shew their duty before us, yet I doubt not that we shall be as ready to do our duty as they, notwithstanding the distinction in the governments. *Extract.* *Copy.* 1 *p.* *Endorsed.* Read 1 August 1685. [*Col. Papers, Vol. LV., No.* 144, *and Col. Entry Bk., Vol. LII., pp.* 94-96.]

June 11. **222.** Journal of Lords of Trade and Plantations. Governor Bradstreet's letter of 21 April read (*see No.* 137).

Sir Richard Dutton's letters of 24th and 29th March read (*see Nos.* 88, 98). The Lords do not believe in his ignorance of their orders as to receiving presents, and drew up a letter in answer (*see No.* 245).

Petition of Diego Maget read (*see next abstract*). Copy to be sent to the Commissioners of Customs and to the African Company for their observations. Petition of Sarah Harrison read (*see No.* 175). Sir Philip Howard to be directed to enquire and report as to it, by a clause in his instructions. Colonel Molesworth's letter of 15 March read (*see No.* 67). Memorandum of documents received. [*Col. Entry Bk., Vol. CVIII., pp.* 148-155.]

[June 11.] **223.** Petition of Diego Maget to the King. Is come from Spain with a power from Balthazar Coymans to embark for Jamaica and continue the negro-trade in that Island. Prays benefit of the laws as extended to British subjects, and leave to bring Spanish fruits there for the encouragement of the trade. *Signed.* Diego Maget. 1 *p.* *Endorsed.* Recd. and Read 11 June 85, 20 June 85. [*Col. Papers, Vol. LV., No.* 145, *and Col. Entry Bk., Vol. XXXI., pp.* 52-54.]

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June 11. **224.** William Blathwyat to Henry Guy. Forwarding foregoing for report of Commissioners of Customs. [*Col. Entry Bk., Vol. XXXI., p.* 54.]

June 11. **225.** William Blathwayt to Sir Benjamin Bathurst. Forwarding copy of petition of Diego Maget for opinion of the Royal African Company. *Memo.*—Sir Benjamin Bathurst and other members of the Company were heard on 15 July, when the Lords decided to instruct Sir Philip Howard on the subject. [*Col. Entry Bk., Vol. XXXI., pp.* 56-57.]

June 12. **226.** Sir Peter Colleton to William Blathwayt. I enclose the examination of Robert Dangerfield, taken in Carolina, which will give you a better idea of the proceedings of the pirates there seized than any other. This confession was owned by two men now prisoners in the Marshalsea in Southwark. *Signed*, P. Colleton. *Holograph.* ½ *p. Endorsed. Annexed,*

226. I. Examination of Robert Dangerfield. Recounting how he was picked up with thirty-five more off Point Negril, Jamaica, by a ship that professed to be on a trading voyage, and went to Rattan, where the ship was placed under orders of Laurens, the pirate. Thence they sailed for Virginia and New England, thence to the Guinea Coast (Gambia), and back to Carolina, where she was wrecked. A long account of the places plundered and the prizes taken. 4 *closely written pp.* [*Col. Papers, Vol. LV., Nos.* 146, 146 I.]

June 12. **227.** Commissioners of Customs to Lords of Trade and Plantations. On the petition of Diego Maget (*see No.* 223) we know nothing of the Assiento, and would recommend consultation with the Royal African Company; but as to the carrying of Spanish fruits to Jamaica, it is prohibited by law to carry any European foods to any of the plantations from any place but this kingdom, except wines from Madeira and the Azores, and servants, horses, and victuals from Scotland and Ireland, and we do not think that the law ought so slightly to be violated. *Signed*, J. Buckworth, N. Butler, W. Dickinson. 1 *p. Endorsed.* Read at Committee 15 July 85. [*Col. Papers, Vol. LV., No.* 147, *and Col. Entry Bk., Vol. XXXI., p.* 55.]

June 12. Whitehall. **228.** Order of the King in Council. Referring the petition of Jacques Gonzales, for restitution of goods confiscated in virtue of an Act of the Parliament of Toulouse, to Lords of Trade and Plantations for report. *Signed*, John Nicholas. ½ *p. Endorsed.* [*Col. Papers, Vol. LV., No.* 148.]

June 12. Whitehall. **229.** Order of the King in Council. Referring the petition of Samuel Beake and others, creditors of the late James Littleton, merchant, to Lords of Trade and Plantations for report. *Signed* John Nicholas. ½ *p. Annexed,*

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229. I. The petition referred to. James Littleton became insolvent in 1678, owing petitioners 6,000*l.* They took out a statute against him, which cost them more than has hitherto been recovered of the debt. Littleton has a considerable estate in Jamaica. They pray the King's directions to the Legislature to secure it for their use. 1½ *pp. Copy. The whole endorsed.* Read 20 June 85. *Memo.*—The case recommended to Sir P. Howard in his instructions. [*Col. Papers, Vol. LV., Nos.* 149, 149 I., *and* (*order only*) *Col. Entry Bk., Vol. XXXI., pp.* 40-41.]

June 12. **230.** Minutes of Council of Virginia. Proposed to request the King to appoint a seal to be kept by the Secretary, and other seals for the Royal collectors. Ordered that the Assembly be summoned for 1st October. Resolved that Colonel William Byrd and Mr. Edmund Jenings be appointed Agents to negotiate the ratification of the Indian treaty. Resolved to send Colonel Richard Lee to demand George Talbot, lately escaped from custody in Virginia, from the Government of Maryland. [*Col. Entry Bk., Vol. LXXXIV., pp.* 213-214.]

June 15.
Custom House. **231.** Commissioners of Customs to Lords of Trade and Plantations. We have considered a draft Act of Barbados to raise money to farm the four and a half per cent. duty. We cannot say whether 6,000*l.* is a valuable consideration to the King, nor shall we be able to decide until we hear from our Commissioners. They tell us that this year they doubt not that the duty will be worth nine or ten thousand pounds. We would add that if the collection of the duty be so long discontinued, it would not be brought under management again without great difficulty and disadvantage. *Signed,* Ch. Cheyne, N. Butler, W. Dickinson, Jo. Werden, J. Buckworth. 1 *p.* [*Col. Papers, Vol. LV., No.* 150, *and Col. Entry Bk., Vol. VII., p.* 300.]

June 15. **232.** Henry Quintyne to Sir John Witham I am not satisfied with your warrant. I shall be at Council to-morrow, and will acquaint the Governor with your desire, and will either send it to you signed if approved, or acquaint you what is preferred. *Holograph.* ¼ *p.* [*Col. Papers, Vol. LV., No.* 151.]

June 15. **233.** The Secretary of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of proceedings of Council and of Secretary's office. I shall keep an eye on my successor in the Secretary's office during my administration of the Government in Sir Richard Dutton's absence. *Signed,* Edwyn Stede. 1 *p. Endorsed.* Recd. 4 Aug. 85. [*Col. Papers, Vol. LV., No.* 152.]

June 17. **234.** Minutes of Council of Barbados. John Hallett sworn of the Council.

Several of the Council took the oaths. The Militia Act passed, and an Act to continue expiring Acts. Sir John Witham's recog-

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nisance in 12,000*l.* delivered to the Governor. Order for payment of 67*l.* 8*s.* 0*d.* to Thomas Rawlins for work done on the forts, of 500*l.* given to Henry Walrond by the Assembly, of 4,000 lbs. of sugar to Thomas Walrond and Edward Archer for a negro executed, and of 100*l.* to Captain Jones given by the Assembly. Order for Sir John Witham to have copies of records. The Attorney General to examine the King's right to the plantation asked for by Mary Ford. Bill to confirm the lease of Fontabelle passed. 112*l.* 10*s.* 0*d.* ordered to be paid to Richard Cartwright. Address of loyalty to the King. Address to Sir Richard Dutton. Adjourned to 23rd. [*Col. Entry Bk., Vol. XI., pp.* 601-609.]

June 16. **235.** Journal of Assembly of Barbados. Lease of Fontabelle to be continued for two years. Salary of Clerk of Assembly voted to be 150*l.* a year.

June 17. Addresses to the King and to Sir Richard Dutton carried. Act touching arrests, and Act concerning Elections, and Act to confirm the lease of Fontabelle read and passed. [*Col. Entry Bk., Vol. XIV., pp.* 109-113.]

June 16. **236.** Address of the Assembly of Barbados to the King. Loyal sentiments and thanks for religious liberty. *Signed* by the Speaker and twenty-one members. *Copy. Broad sheet. Endorsed.* Recd. 15 Aug. *Inscribed.* Recd. 15 Octo (*sic*). [*Col. Papers, Vol. LV., No.* 153, *and Col. Entry Bk., Vol. VII., p.* 338.]

June 17. Barbados. **237.** Address of the Assembly of Barbados to Sir Richard Dutton. Fulsome compliments for bringing Sir John Witham to trial, and appointing Henry Walrond chief judge to try him. *Signed*, Richard Cartwright, Clerk of Assembly. *Broad sheet. Endorsed.* Recd. 15 Aug. 1685. [*Col. Papers, Vol. LV., No.* 154.]

June 18. **238.** Journal of Assembly of Nevis. Proposed by the Governor to the Council and Assembly that as there are but eight of the twenty barrels of powder contracted for, the twenty be completed, and the remaining thirty sent for from England or bought here. Answer of the Assembly. Since Mr. Helmes refuses to abide by his contract, we consent that Mr. Thomas Rose supply thirty barrels of powder at 1,000 lbs. of sugar per barrel. [*Col. Popers, Vol. LV., No.* 40.]

June 18. Virginia. **239.** Nicholas Spencer to William Blathwayt. I have sent the transactions of Council. The Governor and Council hope that the King may take the Northern Neck from Lord Culpeper and appropriate the rents and escheats to the benefit of the country. It would certainly unite the Government, free the people from fears of separation, and lessen the cost of administration. You will have heard of George Talbot's escape and the unneighbourly usage of Maryland. [*Col. Entry Bk., Vol. LXXXII., pp.* 331-332.]

June 18. Virginia. **240.** The Secretary of Virginia to Lords of Trade and Plantations. Forwarding proceedings of Council and Secretary's Office. *Signed*, Nicho. Spencer. ½ *p. Endorsed.* Recd. 3 Aug. 85. Read same day. [*Col. Papers, Vol. LV., No.* 155, *and Col. Entry Bk., Vol, LXXXII., p.* 330.]

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June 18. **241.** The same to the Earl of Sunderland. All is quiet here, and, so far as Indian faith can be trusted, we shall be at peace with the Indians. An Agent is now going to Albany to ratify the treaty made last year, and though it will be very expensive, if a lasting peace ensue, it will be of great comfort to the inhabitants. Lord Howard has been extremely ill, and though now recovering is still unable to write. He therefore begs me to ask you to further the Address sent herewith to the King. *Signed*, Nicho. Spencer. 1½ *pp. Holograph. Enclosed,*

> 241. I. Address of loyalty and congratulation to King James II. from the Council of Virginia. *Signed*, Effingham, Nathaniel Bacon, Rich. Lee, Jno. Lear, Wm. Byrd, Nicho. Spencer, Jos. Bridger, Phil. Ludwell, William Cole, John Page. *Broad sheet.*
>
> 241. II. Duplicate of foregoing. 1 *p. Endorsed.* Read 30 June 1685. [*Col. Papers, Vol. LV., Nos.*, 156, 156 I., II., *and Col. Entry Bk.* (*address only*), *Vol. LXXXII., pp.* 329-330.]

June 18. Barbados. **242.** Summons of the witnesses required by Sir John Witham to give evidence on his behalf to appear before the judge on 24 June. *Signed*, Henry Quintyne. Names of the witnesses, twenty in all. 1 *p.* [*Col. Papers, Vol. LV., No.* 157.]

June 19. **243.** A similar summons, signed as the foregoing; some of the names identical with foregoing. 1 *p.* [*Col. Papers, Vol. LV., No.* 158.]

June 20. **244.** A similar summons to witnesses to appear on 27 June. *Signed*, John Hallett. 1 *p.* [*Col. Papers, Vol. LV., No.* 159.]

June 20. Whitehall. **245.** Lords of Trade and Plantations to Sir Richard Dutton. We have received yours of 27 March (*see No.* 98), on which the King bids us repeat to you his former orders (*see No.* 97). You tell us that the King's instructions of 15 December, concerning the disposal of money, never came to your hands, and that you had received 1,000*l.* before that letter came to you. Our Journals shew that on 13 January 1682, a packet containing this instruction was sent to you by hand of Mr. William Dyre, who on 20 March following wrote to us that he had delivered it to you. Nor can we believe that you could be ignorant of this particular, which is generally known in Barbados, even to those who penned the Act, as by its expressions does appear. The King has therefore repeated his former order that the 1,000*l.* remain in the Treasurer's hands till further orders. [*Col. Entry Book, Vol. VII., pp.* 298-299.]

June 20. **246.** Journal of Lords of Trade and Plantations. Circular letter as to the additional duty on sugar and tobacco approved. It was thought expedient to add true particulars of the rebellion of the Earl of Argyle and the Duke of Monmouth (*see No.* 253).

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Report of the Commissioner of Customs on the petition of Diego Maget read (*see No.* 227), and on the Barbados Act for farming the four and a half per cent. duty (*see No.* 231). Resolved to recommend the repeal of the Act. Draft letter to Sir Richard Dutton approved (*see No.* 245).

Petition of Samuel Beake read (*see No.* 229). Agreed to order Sir P. Howard to pass an Act for relief of petitioners and other creditors of bankrupts possessing estates in Jamaica.

Memorandum of letters received and despatched. [*Col. Entry Bk., Vol. CVIII., pp.* 155-161.]

June 23. **247.** Minutes of Council of Barbados. On the motion of Henry Walrond, Commissioners were appointed to take depositions on behalf of all parties in Sir John Witham's appeal. [*Col. Entry Bk., Vol. XI., pp.* 610-612.]

June 23. **248.** Extract from Minutes of Council of Barbados. On the motion of Henry Walrond, the following were appointed Commissioners to secure evidence tendered to them by Henry Walrond and Sir John Witham; Stephen Gascoigne, John Hallett, Henry Quintyne, John Hothersall, John Gibbes, William Chester, and William Walley. *Copy certified* by Edwyn Stede. 2 *pp.* [*Col. Papers, Vol. LV., No.* 160.]

June 23. Barbados. **249.** Warrant of Sir Timothy Thornhill for John Shaw to be taken into custody and brought before him to give evidence. *Copy. Scrap.* [*Col. Papers, Vol. LV., No.* 161.]

June 23. **250.** Warrant of the Lords Proprietors of Carolina for the grant of 100 acres of land to Nicholas Languemar. *Signed*, Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 61.]

June 24. **251.** Instructions from Lieutenant-Governor Molesworth to Captain Stanley, of the ship Bonito. To cruise towards Point Negril and search for piratical craft, especially Spaniards. $1\frac{1}{4}$ *pp. Copy. Endorsed.* Recd. 23 Sept. 85. [*Col. Papers, Vol. LV., No.* 162.]

June 25. **252.** Minutes of Council of Jamaica. Captain Penhallow's accounts as Receiver-General. Order for divers payments, and for appointment of auditors for the accounts of the Admiralty. Adjourned *sine die.* [*Col. Entry Bk., Vol. XXXVI., pp.* 85-87.]

June 26. Whitehall. **253.** Circular. The King to the Governors of the Plantations. Parliament has granted us an aid for the maintenance and repair of the Navy to be raised upon all imported sugar and tobacco, according to the rates set forth in the enclosed Act. The imposition being laid not on the planter or merchant but on the retailer, "consumptioner," or storekeeper, we are assured that it will not be burthensome but rather advantageous to your Government. We likewise think fit to acquaint you that Scotland has been disturbed by the rebellion of the late Earl of Argyle, who is now awaiting his execution in Edinburgh Castle. The late Duke of Monmouth has

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also landed in the west, and has given disquiet in these parts. A sufficient number of our standing forces are in pursuit, and we are expecting to hear of the total defeat of the traitor. Having ordered a new levy of horse, foot, and dragoons we doubt not of success. All this we tell you lest false reports should be spread by the malicious. [*Col. Entry Bk., Vol. XCVII., pp.* 145-148.]

The same letter to Lieutenant-Governor Molesworth. [*Col. Entry Bk., Vol. XXXI., pp.* 80-83.]

June 26. The same letter to Sir William Stapleton. [*Col. Entry Bk., Vol. XLVII., pp.* 185-187.]

June 26. The same letter to Lord Baltimore. [*Col. Entry Bk., Vol. LII., pp.* 96-99.]

The same letter to the Governor of New Plymouth. [*Col. Entry Bk., Vol. LXI., pp.* 239-240.]

The same letter to Lord Craven, Palatine of Carolina. [*Col. Entry Bk., Vol. XXII., pp.* 61-62.]

The same letter to Barbados. [*Col. Entry Bk., Vol. VII., pp.* 308-309.]

June 26. Barbados. **254.** Deposition of David Ramsay, that he delivered Henry Quintyne's summons for witnesses to Sir John Witham's servant. Sworn before the Commissioners (*see No.* 247). ½ *p.* [*Col. Papers, Vol. LV., No.* 163.]

June 26. **255.** Deposition of William Segal, that he received the summons above-mentioned, and that the witnesses attended. Sworn as the preceding. 1 *p.* [*Col. Papers, Vol. LV., No.* 164.]

June 26. **256.** Deposition of Ralph Lane. That being engaged in a suit to defend his title to some land, he was much reviled and threatened by Sir Richard Dutton, for no reason that he knows of except to deter him from giving his evidence as a material witness in Sir John Witham's favour. Sworn as the preceding. 1 *p.* [*Col. Papers, Vol. LV., No.* 165.]

June 27. **257.** The Clerk of Assembly of Nevis to Lords of Trade and Plantations. Forwarding transactions of the Assembly from February 28 to June 18th. *Signed,* Tho. Thorne. [*Col. Papers, Vol. XLV., No.* 40, *and Col. Entry Bk., Vol. XLVII., p.* 195.]

[June 28.] **258.** Extract from the Minutes of Council at Petit Guavos of November 12-22 1684. The sentence of condemnation against the sloop James. *French.* 1½ *pp. Endorsed.* Recd. 28 June 1685. [*Col. Papers, Vol. LV., No.* 166.]

[June 28.] **259.** Petition of the seamen captured in the above sloop, to Lieutenant-Governor Molesworth, for redress for the false condemnation of the vessel and inhuman treatment by their captor, Yankey. 1 *p. Endorsed.* Recd. 28 June 1685. [*Col. Papers, Vol. LV., No.* 167.]

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June 29. **260.** Henry Walrond to John Hallett. I am so ill that I dare not stir from my chamber. Please let some one come and take my oath. *Scrap.* [*Col. Papers, Vol. LV., No.* 168.]

June 30.
Elizatown,
East New
Jersey.
261. William Dyre to the Commissioners of Customs. I seized a ship on the 22nd inst. for trading without producing certificate or making entry. The captain, a Jersey man, after publicly railing at me and strangely contemning the Customs, came to James Emott, a libeller lately made the Quakers' deputy-secretary, who drew him a pass and carried it to the Governor, who signed it. The ship then set sail, but I pursued her, and seized her and prosecuted her in Court. The case was clear from the lading of the vessel that she had violated the Acts of Trade; but the jury (who had bought many of the goods) found for the defendant, and the Court signed a long bill of costs against me. I refused to pay it, whereupon Emott drew up an execution, and the judge of the Court (made so for this purpose and only cause) signed it and took me into custody. They carried off my horse for 3*l.*, and I am still prisoner for the rest. I can get no redress nor copy of the proceedings, but I shall give you a report if I escape with my life, which is daily threatened. It is useless to complain to the Governor, as it means only the danger of insufferable displeasure. *Copy.* 1½ *pp.* [*Col. Papers, Vol. LV., No.* 169.]

[June ?] **262.** Deposition of Captain William Phips, R.N. When Governor Cony announced his power to choose a Council, many of the Council said that they had as much power as he, and would not submit to the King's Commission. This was by the advice of Henry Bysshe, who was imprisoned for conspiracy to seize the Government and Governor. It was reported in the Island that the people intended to set up a free Government and take to piracy. Bysshe carried on a Council to obstruct the Government while in prison. Anthony White was also suspected of a design to overthrow the Government. Owing to Bysshe's preaching that it was treason to repair the fortifications, the Governor could not find men to put the Island in a state of defence, so that the Island lay open to the enemy. While Phips was in the Island, two months, he never saw the Governor in drink nor inclined thereto; would judge him a person well qualified for his place. 3 *pp.* [*Col. Papers, Vol. LV., No.* 170.]

July 1.
Barbados.
263. Interrogatories of Sir John Witham to John Reid and his answers thereto, to the effect that Witham was too weak and ill to appear at Sessions at his trial at the end of 1684, and that Sir Richard Dutton, on being informed thereof, said only, "Let him and his securities look to that." Sworn before the Commissioners. *Copy.* 2½ *pp.* [*Col. Papers, Vol. LVI., No.* 1.]

July 1.
Barbados.
264. Deposition of Ralph Lane in answer to Sir John Witham. (1.) That Sir John Witham agreed to take a negro from Mary Gough in payment of a debt. (2.) That he gave this evidence, supported by another witness, at Sir John Witham's trial, when Judge Henry Walrond said that if there were a hundred witnesses

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against the King's evidence they were not to be taken notice of. (3.) That he has never heard a good word of Mary Gough, but knows only that she swore that she had given a negro to Sir John as a bribe, which she had really paid him as a debt. Sworn before the Commissioners. 3 *pp.* [*Col. Papers, Vol. LVI., No.* 2.]

July 3. **265.** Minutes of Council of Barbados. The Commissioners for taking depositions presented their report. On the motion of Henry Walrond, the time for taking depositions was extended. The Committee of public accounts presented their report concerning Richard Bate. Order for payment of 422*l.* to him, and of 156*l.* to Edmund Clipsham for work on the fortifications. Richard Bate to assign to the Treasurer 5,837 lbs. of sugar due to him from Mr. William Boleman. [*Col. Entry Bk., Vol. XI., pp.* 612-614.]

July 3. Barbados. **266.** Extract from Minutes of Council of Barbados. The motion of Henry Walrond for extending the time for taking evidence in Sir John Witham's affair. *Copy,* certified by Edwyn Stede. 1 *p.* [*Col. Papers, Vol. LVI., No.* 3.]

July 4. Boston. **267.** Laurent van den Bosck to the Bishop of London. Your Lordship will remember that I had the happiness to receive Ordination from you as a minister in Carolina, where I remained two years. While there I wrote to you. My first letter told you of my miserable condition in Carolina, my second shewed the impossibility of my remaining there, since the French could not contribute to my subsistence, the third informed you of my arrival at Boston. This fourth will inform you of the outrages done me by the independents of Boston, and which I still endure daily because I am a Minister of the Church of England, and uphold its interests and liturgy. Because I married two Anglicans and baptised others who desired to be members of that Church they have done me every imaginable outrage short of prison, the lash, and banishment, with which they have threatened me. Mr. Mather and Mr. Moody are the cause of these disorders, but I have never given way to them. Still, being alone against so many, and perpetually threatened, I beg your protection. Could I preach in English I should undoubtedly make good progress with the Anglican Church here, but being able only to preach in French I try to gather a French congregation, though I see little prospect of success, owing to the small number of French inhabitants. I shall not return to London until driven to the last extremity. *Holograph.* 1½ *pp. French. Endorsed.* [*Col. Papers, Vol. LVI., No.* 4.]

July 6. Whitehall. **268.** Lords Proprietors of Carolina to Governor Joseph West. An abstract of the King's circular of 26 June (*see No.* 253). *Signed,* Tho. Amy, P. Colleton. [*Col. Entry Bk., Vol. XXII.,* p. 62.]

July 6. Jamaica. **269.** Lieutenant-Governor Molesworth to William Blathwayt. We have no certain news of affairs in the South Seas, but we conclude they go ill for the Spaniard. Four sloops sent by the factors for advice as to the Assiento have not returned, being probably detained lest they should bring news of the success of the privateers.

Certainly there are so many reports of that success that all people of uncertain fortunes are strangely tempted to join them. Luckily we re-took and brought back two boats that ran away from Port Royal, but others have got clear away from other ports. The Spaniards have treated our fishermen in the South Seas very ill, taking sloops and maltreating the people. They took one sloop, designing, under English colours, to surprise the negroes and person of Captain Davis, on the north side of the Island, but being met by the canoes of the French privateer Michel, they sailed into a creek till the coast was clear and then left for Cuba. Our people, who were acting under compulsion as pilots, by preconcerted signal ran the sloop ashore, and all leaped overboard at the same time. They are since returned, and report that the Spaniards threaten to make a second attempt. One or two men, who missed the signal to leap overboard, they believe to have been killed by the Spaniards (*see No.* 218). The north side of the Island was so much alarmed that I ordered Captain Stanley to cruise there until the time when he is to seek for the wrecks. I had hired a sloop, manned by his men, to go with him. She is with him now, and will be very useful. Copy of his instructions is enclosed (*see No.* 251). We hear that Captain Chandler, a trader, has been cut off near Trinidad or Cuba. Five periagos silently surrounded the vessel, killed the captain as he came out of the cabin, and easily became masters of the ship. One man jumped overboard and escaped by swimming, who says that all the rest were put to the sword, but how he knows it I cannot apprehend. I hope that Sir Philip Howard comes out fully instructed as to these affairs, for I do not know whether I did well or ill before in sending vessels to clear these coasts of pirates. But whatever my inclination, I could give no orders for want of a new commission, and was obliged to tell the people so, who pressed me to do it again. The inconvenience for want of this commission is great. The Judges refuse to sit, the gaols are crowded, and the Marshal complains much of the expense and difficulty of securing the criminals. Pray let me know when I may expect Sir Philip Howard. The French fleet is supposed to have designs on Vera Cruz. The trade of Europe will suffer if the pirates in the South Seas be not speedily suppressed. *Signed*, Hender Molesworth. Read to the King Sept. 27, '85. [*Col. Entry Bk., Vol. XXXI., pp.* 71-77.]

July 6.
Barbados.

270. Order of the Commissioners for taking evidence in Sir John Witham's case for the better compilation of the depositions. *Signed*, Henry Quintyne, John Hothersall, John Gibbes, Hen. St. John, Wm. Walley. 1 *p. Endorsed.* Recd. 9 Sept. 85. [*Col. Papers, Vol. LVI., No.* 5.]

July 7.
Barbados.

271. The Clerk of Assembly of Barbados to William Blathwayt. Forwarding proceedings of the Assembly. I shall want some of your ruled paper, which we cannot get in this country. *Signed*, Ri. Cartwright. ½ *p. Endorsed.* Recd. 1 Oct. 85. [*Col. Papers, Vol. LVI., No.* 6, *and Col. Entry Bk., Vol. VII., p.* 303.]

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July 10. Barbados. **272.** Governor Cranfield to Lords of Trade and Plantations. I left New Hampshire on the 9th of June, and arrived here on the 7th of July, having appointed Captain Barefoot my deputy in my absence. I should have taken advantage of your leave to come here last winter had not all the shipping left for the West Indies before the permission reached me. *Signed,* Edw. Cranfield. ½ *p.* *Endorsed.* Recd. 1 Oct. 85. [*Col. Papers, Vol. LVI., No.* 7, *and Col. Entry Bk., Vol. LXVII., p.* 147.]

July 10. Whitehall. **273.** Order of the King in Council. Report of Lords of Trade and Plantations. We have consulted the Commissioners of Customs as to the Act of Barbados for commutation of the four and a half per cent. duty, and in consequence of their representations (*see No.* 231), we advise that the Act be disallowed. *Dated* 20 June 1685. Ordered accordingly. *Signed,* Wm. Bridgeman. [*Col. Entry Bk., Vol. VII., pp.* 301-302.]

July 13. Barbados. **274.** The Deputy-Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the transactions of the Council and of imports. *Signed,* Edwyn Stede, John Peers, Tho. Walrond, Robert Davers, Tim. Thornhill. 1 *p.* *Endorsed.* Read 17 Oct. 1685. [*Col. Papers, Vol. LVI., No.* 8, *and Col. Entry Bk., Vol. VII., p.* 303.]

July 13. **275.** Minutes of Council of Barbados. Order for payment of 40*l.* to John Whetstone for his attendance on the Commissioners for taking depositions. The Commissioners made a second report. Council adjourned to house of Mr. Stede, who took the oaths and signed the test. Sir Richard Dutton delivered his Commission, Instructions, and other public papers to Mr. Stede, and desired a caveat to be entered touching the land which was to be granted to Mary Ford, "His Excellency in a passion" telling Mr. Stede that he believed he wished to have the granting of it for himself. [*Col. Entry Bk., Vol. XI., pp.* 615-618.]

July 15. **276.** Journal of Lords of Trade and Plantations. The letter of the Mayor of New York read (*see No.* 186). The Lords agreed in their report (*see No.* 283).

Mr. Randolph presented his articles against Rhode Island and Connecticut (*see No.* 279). Agreed to recommend the reference of these articles to the Attorney-General.

The members of the African Company attended, on the petition of Diego Maget. Sir Philip Howard to be instructed to favour the petition so far as he legally can. Colonel Molesworth's letters of 24 March and 13 April read (*see Nos.* 85, 123), Lord Howard of Effingham's of 13 May (*see No.* 188), and Sir Richard Dutton's of 29 April (*see No.* 161).

Richard Wharton's petition for a grant of Pojebscot read. Petitioners ordered to prepare other heads of a grant for the same. Petition of William Vaughan read (*see No.* 280). The matter referred to Lord Sunderland. Mr. Cranfield's letter of 6 February read. Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 162-169.]

1685.
[July 15.] **277.** Abstract of a Royal grant and confirmation of lands at Pojepscot, New England. A draft drawn up by Richard Wharton, embodying the gist of his previous proposals (*see Nos.* 155, 169). 2 *pp. Endorsed.* Read at Committee 15 July 1685. [*Col. Papers, Vol. LVI., No.* 9.]

[July 15.] **278.** Address of the Proprietors and inhabitants of the Narragansett Country to the King. Congratulations, and information that, in spite of adverse circumstances, the proclamation of his accession was made with all possible solemnity. *Signed,* S. Bradstreet, J. Winthrop, Richard Smith, and seven more "on behalf of many others." 1 *p. Endorsed.* Recd. 15 July 1685. [*Col. Papers, Vol. LVI., No.* 10.]

[July 15.] **279.** Petition of Edward Randolph to Lords of Trade and Plantations. I have drawn up several articles, pursuant to orders, impeaching the Colonies of Rhode Island and Connecticut. I beg that the writs of *Quo Warranto* may be issued without delay, that the charters may be vacated, and the Colonies united under the King's Government. *Signed,* Ed. Randolph. *Endorsed.* Read July 15 1685. *Annexed,*

279. I. Articles of high misdemeanour exhibited against Rhode Island. (1.) They raise large sums on the inhabitants by fines, taxes, and arbitrary imprisonment, contrary to law, and deny appeals to the King. (2.) They make laws contrary to the laws of England. (3.) They deny the King's subjects the benefit of the laws of England. (4.) They keep no authentic copies of their laws, and suffer no inhabitant to take copies of them. (5.) They rase and cancel their laws without consent of the General Assembly. (6.) Their Governors and other officers, as well as juries and witnesses, are under no legal oaths. (7.) They violate the Acts of Trade and Navigation, and have taken from Francis Brinley the late King's commission to administer an oath to the Governor for the execution of these Acts. 1 *p. Endorsed.*

279. II. Articles of high misdemeanour against the Governor and Company of Connecticut. (1.) They make laws contrary to the laws of England. (2.) They impose fines on the inhabitants, and convert them to their own use. (3.) They enforce oaths of fidelity on the inhabitants, without administering the oaths of allegiance and supremacy. (4.) They deny the inhabitants the exercise of the Anglican religion, arbitrarily fining those who refuse to come to their congregational assemblies. (5.) Subjects of other Colonies cannot obtain justice in the Courts of Connecticut. (6.) They discourage and exclude from the Government all gentlemen of known loyalty. Proofs of the charges extracted from the law-books. *Two long slips.* [*Col. Papers, Vol. LVI., Nos.* 11, 11 I. II., *and* (*enclosures only*) *Col. Entry Bk., Vol. LXI., pp.* 241-246.]

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[July 15.] 280. *Memo.* William Vaughan and others, merchants, of New Hampshire, petitioned the King, complaining that though they had licences, on paying the usual duties, to fish on the coast of Nova Scotia, their fishing vessels had been seized there and carried to France, to the loss of over 7,000*l.* to petitioners. The Lords on 15 July 1685 ordered the petition and depositions to be delivered to Lord Sunderland. [*Col. Entry Bk., Vol. LXVII., p.* 149.]

[16 July?] 281. Lord Baltimore's answer to the letter of Nehemiah Blakiston (*see No.* 136). It is clear from the letter of the Governor of Virginia to the deputies of Maryland that George Talbot's escape from prison was due to the corruption of the guard, and not to any practices by anyone in Maryland. As soon as the deputies received notice, they took special care for Talbot's apprehension. Talbot was never publicly seen at his own plantation, but kept himself out in the mountains to the northward till at last he resolved to surrender to the deputies of Maryland, where he is now under a strong guard. Lord Baltimore is very confident that Blakiston's complaints of obstruction in the execution of his duty are groundless, since his lordship has long since ordered that masters of ships should apply to the King's Collector as well as to his own. This was so while Rousby was living, as several masters can avouch. After the murder of Rousby, the Deputies of Maryland did presume to appoint William Digges and Nicholas Sewall to be Collectors of the King's dues, until some successor could be appointed by the Commissioners of Customs; and this they conceived to be their duty in care for the King's revenue. Lord Baltimore cannot believe that Blakiston has been served with warrants and the like, and begs enquiry from those who have lately returned from Maryland. Perhaps Blakiston was arrested at the suit of one of his many creditors. Colonel William Digges is known to be a man of so much loyalty that he could not be capable of such things as Blakiston alleges of him. It would be well if Blakiston's loyalty were as sure. Nobody who knows Maryland can believe that the King's revenue suffers loss of several thousands annually. Mr. Rousby, who understood things as well as any man, rarely received more than a hundred pounds in any one year. It is strange therefore that Blakiston should have been the first to discover this loss. But Blakiston carefully says that he expects little tobacco this year, and accounts for this by saying that Lord Baltimore's officers threaten the masters of ships. But Lord Baltimore can prove that Blakiston has received several thousands of tobacco and paid it away to his creditors. He has therefore no other way of making up his accounts with the King this year than by pretending great obstruction from Lord Baltimore's officers. Blakiston's statements about Sewall are as untrue as the rest. He would not help Sewall to seize the Irish vessels, so Sewall was forced to proceed without him. This done, Blakiston sent Captain Allen to seize the vessel, and was disappointed to find the other officers still on board. The officers can defend themselves against Blakiston's statements, and Lord Baltimore begs that Blakiston may be forced to prosecute his charges. *Signed*, C. Baltemore. *Copy.* 6 *pp.* [*Col. Papers, Vol. LVI., No.* 12.]

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July 17.
Whitehall.

282. Order of the King in Council. That, as recommended by the Lords of Trade and Plantations, the articles drawn up by Edward Randolph against Rhode Island and Connecticut be referred to the Attorney-General, who will issue writs of *Quo Warranto* against both Colonies (*see No.* 279). [*Col. Entry Bk., Vol. LXI., p.* 246.]

July 17.

283. Order of the King in Council. Report of Lords of Trade and Plantations. On the letter of the Mayor of New York (*see No.* 186), we recommend that the Attorney-General consider the several grants and proprieties of New Jersey and Delaware and enter writs of *Quo Warranto* against the proprietors, it being to the great and growing prejudice of the Plantations that such Governments be maintained without a nearer dependence on Your Majesty. *Signed,* Halifax, Rochester, Clarendon, Ormond, Beaufort. Ordered accordingly. [*Col. Entry Bk., Vol. LII., pp.* 102-103.]

July 17.
Whitehall.

284. Order of the King in Council. That a copy of Lord Baltimore's reply to the charges against his officers be sent to the Commissioners of Customs, and that they, together with Lord Baltimore, attend the King on the 24th inst. *Signed,* W. Bridgeman. *Copy.* ½ *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 13.]

July 17.

285. Minutes of Council of Barbados. The Lieutenant-Governor produced his Commission, and the members of Council were sworn. Proclamation for continuing commissions granted by Sir Richard Dutton. The Council desired the Lieutenant-Governor to regulate the practice, permitted by Sir R. Dutton, of judges acting as counsel in every court but their own. John Whetstone sworn in as Secretary. The Provost-Marshal took the oaths and signed the test. Adjourned to 4 August. [*Col. Entry Bk., Vol. XI., pp.* 619-625.]

July 17.
Stuart's-town.

286. Lord Cardross to Robert Quarry. I have heard of the resolutions of the Grand Committee respecting myself, and find that the Council continue still in the apprehension that I have committed some high misdemeanour, and look upon my not appearing as a great contempt of their authority. I do not look upon myself as an English lawyer, and therefore shall not be positive in every notion I have taken of it, but my frequent converse in England with skilled lawyers made me think that the first paper that came from the Council in the nature of a warrant, and the way that it was communicated to me, was not legal in matter of procedure, and I found it proceeded on such a mistake that I concluded that on the least information the Council would turn the chace and notice what Dr. Woodward had done; whereby no doubt I should have been vindicated, and it would have appeared that my causing the apprehension of Dr. Woodward in such circumstances was no usurpation of magistracy, but a clear vindication of the authority of the Grand Council at Charlestown. When Mr. Griffith came last I was ill, as I still am, of fever and ague, and so could not answer them, nor can I hope to be fit to attend the meeting in August. As soon as my health permits I am fully resolved to wait on you, when I do not doubt

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that I shall satisfy you that I desire to uphold your authority. A petition signed by me and others several days ago will show you how much we desire to be part of the Government and subject to it. I never was nor wished be hostile to it, and I hope that this reply will satisfy you and the other gentlemen of the Grand Council so far that you will not trouble yourselves again to send for one who is very willing to come at the first opportunity. [*Col. Entry Bk., Vol. XXI., p.* 135.]

July 17. Stuart's-town. 287. William Dunlop to Governor Robert Quarry. My congratulations on your promotion to be Governor. Lord Cardross has written a letter which he hopes will satisfy the Council. He is fully resolved to come down. I freely confess that I was astonished to hear that the Council had ordered a party to bring him down, sick or well; I think that the King and Council of England could allow him to recover his health first, whatever the exigence. We have signed an address to the Palatine's Court, wherein among other things we desire magistrates from you for this country, which are very necessary for us. There are a number of rascal fellows come here to the neighbouring Islands, who are not entertained by us, and certainly design to run away out of the Province. I give this information to shew here how we desire to be under your Government. *Signed*, Will. Dunlop. [*Col. Entry Bk., Vol. XXI., p.* 136.]

July 18. Barbados. 288. Edwyn Stede to the Earl of Sunderland. Sir Richard Dutton's method of administering the oaths to me and giving me my papers and instructions was unusual and, as it seems to me, unsuitable. Sir Richard visited me at my house on 10th instant, and after many reproaches and unkind sayings to me for my civility to Sir John Witham since the King's order for his release, he told me he intended to embark for England on the 13th, and that as it might not be convenient to me to go aboard at that time, he would come to my house with the Council, administer the oaths and deliver to me the papers. Accordingly, having kept the Council together all that day, at its usual place of meeting, for no matter of moment so far as the journals shew, he came to my house at four o'clock with the Council and about a hundred others. I expected that the room would be cleared for the Council to sit, but instead thereof Sir Richard, in the midst of all the crowd, told me that he was come to administer the oaths to me, which accordingly he did, but without any entry in the Council's books, though I have since caused a memorandum to be inserted, that it was done in the Council's hearing. The oath administered, Sir Richard was about going on board the frigate, when I asked him, with all respect, whether I took up the government from the time of his going on board or from the time of his sailing. To which, with an angry and furious tone and countenance, he replied scornfully, in the presence of all the multitude, that I must not expect to meddle with the government while he was about the Island, for that he intended to come ashore again, although I was in such haste to take up the government, and that he would prevent me until he sent me the seal. He did not send it to me till Thursday evening, he having been on board since the Monday before. I must mention another "unkind and reproachful carriage" of Sir Richard Dutton to me in the presence of the crowd, which he brought, as I conceive, to be a witness of his affronts and to lower me in their eyes. He publicly asked my opinion as to a grant which he had passed without reserving anything to the King, and which the Council had refused to pass until the Attorney-General had examined the title. I answered that, though I had been absent from the Council, I concurred with them, believing, as Receiver-General, that part of the land was the King's by escheat. Sir Richard, with great displeasure in his looks, replied that this was just what he expected from me, and that he would take good care that I made no grant of that land in his absence; seeming thereby (as I thought) to insinuate to the crowd that I had no power to act during his absence except according to his orders. I answered that I was sorry he should take my honest answer amiss, but that my clerk was at hand to enter his *caveat* or anything else that he thought fit at the Secretary's Office. He replied with reproach that I had nothing to do with the Secretary's Office, and that he would appoint a Secretary to act during his absence, which not being applauded by the crowd, he took me into another room, and there with many reproaches told me that he had enough against me in Sir John Witham's matter to call me to England also, since I had advised him as much as anyone against Sir John; and that though I had got my foot in the stirrup he would take care that I should not sit long in the saddle, nor be very easy while there. I answered that my advice had been not to try Sir John Witham till the King had heard of his misdoings and given his orders. This Sir Richard absolutely refused to do, saying that Sir John was appointed by his commission and was triable by him, and that he would do the same thing again to-morrow. I told him that I would not, as the proceeding was evidently displeasing to the King, and that I and the Council would not have done as much as we did if he had not ensnared us by withholding his Instructions, contrary to orders. He replied that I should be called home as well as he, and that he would be believed at Whitehall against all that I might say. I answered that I doubted not to prove myself a loyal and honest man. This led Sir Richard to complain of the favour shewn to Sir John Witham at Whitehall, which he was quite sure was unknown to the King; that he would complain to the King about it, and so forth. My commission was published the 17th, the day after Sir Richard sailed. *Signed*, Edwyn Stede. *Three very closely written pages. Endorsed.* Recd. and read 17 October 1685. [*Col. Papers, Vol. LVI., No.* 14, *and Col. Entry Bk., Vol. VII., pp.* 303-308.]

July 20. 289. Captain J. Davis to Lieutenant-Governor Molesworth. Many thanks for sending down the Bonito for our security. You are pleased to say that these Spaniards are not countenanced by any of the Spanish Governors. I assure you that this design was publicly known at Trinidad. Four of these rogues lived there, and the Lieutenant of the town provided them with necessaries to take the turtling-sloop, wherein they were to sail to Jamaica. The Spaniards themselves declared it. Now, as to the embezzlement of pirates' goods. I can tell you no more than you know already, and

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they do me great wrong who say that I know more. It is a story got up by those who wish to prove more than ever was known. Mr. Elletson sent me a threatening letter, saying that unless I gave an account of what I knew of Spurre's business he would complain of me to the Lords of Trade and Plantations. All I know is this. When Spurre's sloop came in I received express orders from Sir T. Lynch to deliver the goods to no one but to him, which was accordingly done. The broken gold was sealed up by Sir Thomas's order and given to me to be delivered to Judge White, which I did; and that is all I know. I have no idea of the value of the gold. *Signed*, J. Davis. *Holograph. Three closely written pages.* [*Col. Papers, Vol. LVI., No.* 15.]

July 21. Barbados. **290.** Deputy-Governor Edwyn Stede to Lords of Trade and Plantations. I received many bitter, scurrilous reproaches from Sir Richard Dutton before his departure because I received Sir John Witham, after the King's order for his release, and gave him copies of such records as he needed from the Secretary's Office. I published my commission the day after Sir Richard sailed, and though he tried to insinuate that I could do nothing in his absence which he had not ordered or which he had prohibited, those that believe this will find out their mistake. *Signed*, Edwyn Stede. 2 *pp. Endorsed.* Recd. 1 October 1685. [*Col. Papers, Vol. LVI., No.* 16, *and Col. Entry Bk., Vol. VII., pp.* 327-328.]

July 25. **291.** Journal of Lords of Trade and Plantations. A clause as to appeals added to Sir Philip Howard's instructions. The King ordered that in future the oath of allegiance only should be enjoined to be administered by Governors, without mention of the oath of supremacy and the test. Henry Bysshe was brought up in custody and ordered to find bail. [*Col. Entry Bk., Vol. CVIII., p.* 170.]

July 25. Whitehall. **292.** William Blathwayt to Henry Guy. I enclose draft of instructions prepared by the Commissioners of Customs to the Governors of Plantations, to be revised, if the new Acts of Parliament concerning trade should render it necessary. *Draft.* ½ *p.* [*Col. Papers, Vol. LVI., No.* 17, *and Col. Entry Bk., Vol. XCVII., p.* 148.]

[July 27.] **293.** Sir Richard Dutton to Edwyn Stede. I have strictly perused my instructions, whereby I am directed not to allow an appeal in any criminal cause, so if such a thing be offered to-day, you will absolutely reject it. I intend to dine with you to-day. *Dated*, 30 December 1684. *Copy*, certified by Jno. Whetstone, 27 July 1685. ½ *p.* [*Col. Papers, Vol. LVI., No.* 18.]

July 29. **294.** Deposition of John Keith, physician, in reply to Sir John Witham, to the effect that he attended Sir John from May to December, 1684, and found his disorder very stubborn, being called in this Island "contagious bellyaike," often leading to loss of limbs and life. He was dangerously ill when he went to Grand Sessions. *Copy.* 2½ *pp.* [*Col. Papers, Vol. LVI., No.* 19.]

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July 30. **295.** Lords Proprietors of Carolina to Governor Joseph West. Warrant for the grant of 3,000 acres of land, gratis, to Jean François de Genillat, the first of the Swiss nation who has announced his intention of settling in Carolina. *Signed*, Craven, Tho. Amy, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 63.]

July 31. **296.** Warrant from the Earl of Rochester to the Commissioners of Customs granting rebate of ten per cent. to Merchants who pay the new duty on tobacco in ready money. *Below.* A second warrant authorising further rebate of four per cent. for waste and decay. 17 August 1685. *Copies. The whole.* 1½ *pp. Endorsed.* [*Col. Papers, Vol. LVI., No.* 19 *a.*]

[July 31.] **297.** Petition of Barrakiah Arnall, late Master of the pink Hannah and Elizabeth. From ignorance petitioner neglected to carry a certificate with him from Boston to Antigua, in consequence of which he forfeited a bond of 1,000*l.* and suffered confiscation of the ship. Prays remission of the penalty. *On the margin.* Read in Council July 31, 1685. *Also*, a reference of the petition to Sir William Stapleton for his report. *Signed*, William Blathwayt. *Annexed*,

297. I. Certificate of Samuel Massey, Secretary, that he believes Barrakiah Arnall to have had no intention of defrauding the revenue. *Dated*, Custom House, Boston, 15 May 1685 1 *p. Endorsed.*

297. II. Certificate of the arrival of the Hannah and Elizabeth from Antigua. *Signed*, John Jacob. Boston 15 May 1685. Copy of the bond attached. 2 *pp.*

297. III. Certificate of the discharge of the Hannah and Elizabeth. Boston 25 May 1685, *Signed* S. Bradstreet, Governor; covering depositions of two seamen of the ship. 2 *pp.*

297. IV. Certificate as to the genuineness of No. II. 28 May, *Signed*, S. Bradstreet, Governor. *Seal of New England attached.* 1 *p.* [*Col. Papers, Vol. LVI., Nos.* 20, 20 I.-IV.]

July 31.
Whitehall. **298.** Copy of the Order in Council referring above papers to Sir William Stapleton. *Signed*, Wm. Bridgeman. 1 *p. Endorsed*, with a minute by Sir William Stapleton, that the petitioner is a fit object for the King's mercy. *Holograph. Endorsed.* Read 1, 3, 18, 26 August and 2 September 85. [*Col. Papers, Vol. LVI., No* 21, *and Col. Entry Bk., Vol. XLVII., pp.* 191-192.]

Aug. 1. **299.** Minutes of a Council of War held at Jamaica. The Governor brought forward the necessity for suppressing a rising of negroes belonging to Guanaboa. Order for the articles of war framed by Lord Carlisle to be published and martial law to be proclaimed; for 120 men to be raised and kept constantly on duty, at 5*s.* a day for an officer, 2*s.* 6*d.* for a sergeant, and 1*s.* 6*d.* for a soldier, receiving also 5*l.* a head for every negro captured or killed, to be

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divided equally among the men of the party concerned. Ordered that, as many plantations have not so many white servants as the law requires, the Colonels shall place on such plantations as many men as are necessary, at the owners' expense, till the owners shall procure others in their stead. Ordered, that commanding officers keep a greater or lesser number of men in arms in their respective parties. [*Col. Entry Bk., Vol. XXXVI., pp.* 89-90. *Copy of Articles of War, pp.* 94-97.]

Aug. 1.
Barbados.

300. The answer of Edwyn Stede to the interrogations of Sir John Witham. (1.) I often heard Sir Richard Dutton say, after his return to Barbados, that he expected a good present from Sir John Witham and deserved it, and that if he did not get it, it would be the worse for him, and so forth. Sir Richard often spoke angrily of the loss of half his salary, and at last, to keep up friendship, I offered to speak to Sir John on the subject, and did so, telling him that Sir Richard, unless satisfied, was resolved to give way to violent prosecution, as an indictment of *Premunire.* Sir John said that he feared none of such things, and that the abandonment of the half salary to Sir Richard would only weaken his cause; and as he insisted on his innocence of the complaints against him, I pressed him no further. Sir Richard was very angry when my mission came to nothing, and still more so when a few days later Sir John wrote to him and told him his mind. Shortly after came the accusation of Sir John in the Council. (2.) I verily believe that if Sir John had resigned the half salary, there would have been no prosecution. (3.) The records shew that Sir Richard disposed of two men's estates for money, and that he received considerable fines from offenders at the Sessions of 1681. (4.) The proceedings against Sir John in the Court of Exchequer were by Sir Richard's own order, who was much vexed that they were not speedier. (5.) I publicly expressed my dissatisfaction on the bench with the manner of proceeding against him. Harsh words were used against Sir John from the bench, but by whom I do not remember. (6.) There was great discussion as to the amount of the fine to be imposed. If I could have prevailed, the eleven thousand pounds should have been reduced to less than as many hundreds. (9.) I do not believe that Sir John Witham altered any of the records, as was charged against him (10.) Sir Richard frequently dined with the Council and Judges during the Sessions. He was anxious to conclude the trial quickly. (11.) Mr. Richard Seawell, who was made a judge by Sir Richard Dutton, was charged with high crimes by Mr. William Walley, but I know not what they are, nor why no prosecution was made. [*Col. Entry Bk., Vol. VII., pp.* 331-338.]

Aug. 1.
Nevis.

301. Henry Carpenter to the Royal African Company. Transmitting an Act of Antigua for annexing negroes to the freehold, and requesting that it may be stopped as destructive to trade. ½ *p. Endorsed.* Recd. 10 Aug. 85. [*Col. Papers, Vol. LVI., No.* 22.]

Aug. 1.

302. Journal of Lords of Trade and Plantations. Ordered that Mr. Bysshe receive copies of the depositions sent by Governor Cony.

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Colonel Molesworth's letters of 27 April and 15 May read (*see No.* 193). The Lords agreed that all persons concerned in the Assiento should be encouraged.

Petition of Barachiah Arnall read (*see No.* 297), and referred to Sir William Stapleton. [*Col. Entry Bk., Vol. CVIII., pp.* 170-173.]

Aug. 3. **303.** Journal of Lords of Trade and Plantations. Mr. Randolph presented a paper of proposals (*see next abstract*). The Lords agreed to await the King's directions. Lord Howard of Effingham's Commission approved.

Sir William Stapleton's report on the petition of Barachiah Arnall read, and referred to the Commissioners of Customs.

Colonel Digges's letter to Lord Baltimore of 11 June, and Colonel Spencer's of 18 June were read (*see Nos.* 221, 239).

Memorandum of documents received. [*Col. Entry Bk., Vol. CVIII., pp.* 173-176.]

Aug. 3. **304.** Edward Randolph to Lords of Trade and Plantations. I have received three writs of *quo warranto* against East and West New Jersey and Delaware, and two more, with summons from the Sheriffs of London, against Rhode Island and Connecticut, which are returnable next term. A ship should be sent in three weeks' time at farthest direct to New England, that the serving of the writs may not lapse through the delays of a winter's voyage and the prosecution be rendered ineffectual, as in the case of the Boston Charter. *Signed*, Ed. Randolph. *Holograph.* 1 *p. Endorsed.* Read at Committee, Aug. 3 1685. [*Col. Papers, Vol. LVI., No.* 23, *and Col. Entry Bk., Vol. LXI., pp.* 248-249.]

Aug. 3. **305.** Captain William Phips, R.N., to the Earl of Sunderland. By order of the Governor of Bermuda, I brought home Henry Bysshe on board H.M.S. Golden Rose, and delivered him to you; since which time Bysshe has arrested me. I am now in custody in the bailiff's hand in the liberties of the Tower; whereby I am kept from the King's business. Pray issue some order for my discharge. *Signed*, William Phips. "From the Nagg's Head on little Tower Hill." ½ *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 24.]

Aug. 3. **306.** Receipt for a bundle of papers seized from him by the messenger and returned to him by William Blathwayt. *Signed*, Henry Bysshe. 1 *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 25.]

[Aug. ?] **307.** A short summary of the history of the Bermúda Company down to the time of the vacation of its charter. 1¼ *pp.* [*Col. Papers, Vol. LV., No.* 26.]

Aug. 3. Barbados. **308.** Depositions of Colonel John Sampson, in reply to Sir John Witham. (1.) The Court denied Sir John a copy of the indictment and counsel. (2.) Henry Walrond said that the indictment was leniently drawn by the law-officers, for it might have been treason. (3.) The Court refused to hear two witnesses for Sir John. (4.)

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The Court rejected Sir John's plea in abatement, and (5) his pleas in bar, and insisted that he should plead not guilty. (6.) The judges hesitated to allow Sir John's witnesses to be sworn. (7.) Henry Walrond directed the jury to find for the King, not valuing evidence against the King's. (8.) Henry Walrond declined to allow portions of two letters from the King and from Secretary Jenkins to be read in evidence. (9.) People were afraid to speak on Sir John's behalf, or to visit him in confinement, from fear of Sir Richard Dutton. (10.) It was common report that Sir Richard intercepted Sir John Witham's letters. (11.) The Council, with two exceptions, offered themselves as witnesses against Sir John, though sole judges of the Court. *Copy.* 8 *pp.* [*Col. Papers, Vol. LVI., No.* 27.]

Aug. 4. **309.** Minutes of Council of Barbados. Sir Timothy Thornhill took the oaths and subscribed the test. The Lieutenant-Governor announced that after due consideration he had decided not to alter the rules respecting the practice of judges this year. John Whetstone was empowered to administer oaths. Order for payment of a quarter's rent for Fontabelle to Thomas Walrond, and for repair of the path to the magazine. Agreed that the Assembly called by Sir R. Dutton might legally continue during the usual time. Order for depositions to be taken as to Sir R. Dutton's protection of Captain Walley from arrest. Commission to be issued for the trial of Mr. Tollemache. Several payments ordered for work on the fortifications. The beneficed Ministers appeared before the Lieutenant-Governor, took the oaths and signed the test. Establishment of the Court of Chancery constituted in 1672 revived and confirmed. [*Col. Entry Bk., Vol. XI., pp.* 619-634.]

Aug. 4. **310.** William Blathwayt to Mr. Graham. The King, on reading Captain Phips's letter (*see No.* 302), orders that bail be given on his behalf for so much as relates to Captain Phips's transportation of the prisoner. You will see to this. *Draft.* ¼ *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 28.]

Aug. 10. **311.** Minutes of a Council of War in Jamaica. Ordered that the negro prisoners taken at Guanaboa be tried by Court-Martial. The Board declared their opinion that any officer of horse, under the rank of Captain, may be tried by a regimental Court-Martial of foot officers belonging to the same precinct. Order for issue of powder. [*Col. Entry Bk., Vol. XXXVI., p.* 91.]

Aug. 10. **312.** Instructions prepared by the Commissioners of Customs for the Governors of Plantations, for the better putting in execution the Acts of Trade and Navigation. (1.) You will study the Acts themselves. (2.) None but ships of the British Isles are to trade with the Colonies, and three-fourths of the crew must be British subjects. (3 and 4.) You will see to the observance of rules as to bonds and certificates. (5.) [To Maryland only.] In consequence of frauds and mischiefs, we have caused blank certificates to be sent to every port in this kingdom, and have given some also to you. You will see that your officers assist the King's collector in his work, and that they do nothing in reference to the King's duties without

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his privity. (6.) You will observe the law as to exclusive importation of home produce, (7) and for transhipment of all colonial goods not designed for the English market. (8.) [To Maryland only.] In consequence of the forging of certificates and cockets, you will prepare a list of all bonds taken and to be taken from Michaelmas 1679, to Michaelmas, 1685. (9.) [To Maryland only.] The officers which you have appointed to receive the King's customs shall cease to do so and shall render us an account of their receipts. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. XCVII., pp.* 151-167.]

[Aug.] **313.** Form of certificate of bonds given by masters of ships trading to the Plantations. 1¼ *pp. Endorsed.* [*Col. Papers, Vol. LVI., No.* 29.]

314. Forms of certificates of ships trading to the Plantations and of ships laden in the Plantations, that they have produced certificates of bonds to observe the Acts of Trade and Navigation. *Printed.* 2 *pp. Endorsed.* [*Col. Papers, Vol. LVI., No.* 30.]

Aug. 11. **315.** Governor Dongan to William Blathwyat. Yours of 6th March I have received, and am heartily glad that I am to correspond with you. Sir John Werden writes that he has delivered up the material papers to you. You must be a stranger to our proceedings unless you have perused the papers concerning the differences between our Indians and the French, and if occasion should come for me to act (of which I hope there is no danger), I have no instructions, for Sir J. Werden has not answered my letter. The French are now quiet. We have a very good trade this year, and shall have much better if we take the same care as the French, by putting a little fort on this side the Great Lake, as they have on the other. It is in the King's dominions, nearer to us than to them, and would be an obligation on the Indians to bring their beaver to us, which would be six for one at present. I put the arms of the Duke, now His Majesty, on all the Indian Castles near the Great Lake, by their own consent, they having submitted to this Government. They are a considerable people, and ought to be encouraged, for they have a great influence over most of the Indians in America. The French quarrel only because they cannot obtain them. If ever they should, they would be troublesome to most of the King's subjects in America. A French man-of-war came into Sandy Hook, which is within six or seven leagues of this city, and asked leave to wood and water and buy fresh provisions. I sent the Mayor, who is a Frenchman, on board, to see by what commission he sailed, and he sent me copy of his commission, which was from the Governor of Petit Guavos. I called the Council, who advised that he might have leave to wood, water, and provision, so long as he left none of his prize goods behind him, nor sold them. Having obtained what he wanted, he went to sea, and I am told plundered one of our ketches bound to Barbados. She was of thirty guns and 200 men. I sent away the packets to Virginia, and wish I could tender you any particular service. Mr. Spragge, Secretary of this place, goes to England this winter, and will bring our last-made laws with him. *Signed*, Tho. Dongan. 2½ *pp. Endorsed.* Recd. 29 Sept.

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1685. Read Oct. 9 1685. *Printed in New York Documents, III.*, 363. [*Col. Papers, Vol. LVI., No.* 31, *and Col. Entry Bk., Vol. LXVIII., pp.* 79-83.]

Aug. 14. Tunbridge. **316.** Henry Guy to William Bridgeman. Enclosed are the instructions to the Governor of Maryland, with the blanks filled up by the Commissioners of Customs. They have represented that it would be for the King's service that all such instructions should be sent by them, as they can send with them books of rates, etc., to the Collectors. Though therefore it is probable that the present instructions may be given to Lord Baltimore, who is in England, all such instructions are, by the Lord Treasurer's order, to be sent in future to the Commissioners of Customs. *Holograph.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 32, *and Col. Entry Bk*, *Vol. XCVII., p.* 149.]

Aug. 18. **317.** Journal of Lords of Trade and Plantations. Draft instructions from the Commissioners of Customs to Governors as to the Acts of Trade read, and ordered to be sent to all Governors (*see No.* 309).

Minutes of Council of Virginia of 20 November and 12 June read (*see No.* 230) as to Colonel Talbot. Order for a letter to Lord Howard, instructing him to send Talbot home for trial. Lord Baltimore to be informed. The representation of the Governor and Council of Virginia of 21 April as to quit-rents read. A copy to be sent to Lord Culpeper for his reply. Draft instructions to Lord Howard read, and a clause respecting transported rebels added. A new clause as to encouragement of planting vines, flax, etc., to be remitted to the King, as it may give too much encouragement to neglect the planting of tobacco in consequence of the new duty.

Mr. Penn's petition for hearing of his case against Lord Baltimore read (*see No.* 320). The Lords appointed the 26th inst.

Sir Philip Howard presented a memorial for instructions as to English ships driven by stress of weather into French ports, and as to retaliation on French ships in the corresponding case; as to French privateers and their treatment; as to disturbance of the turtle-fishery by the Spaniards; as to convoys of negro ships for the Spaniards; as to supply of negroes by the African Company; as to pardon of privateers who give security for good behaviour; and as to the inexpediency of keeping practising lawyers in the Council. Ordered for consideration on 26th inst. Abstracts to be made of Colonel Molesworth's letters relating to privateers.

The proclamation of the King at Philadelphia 23 May read. Mr. Randolph's memorial (*see No.* 319) read and remitted for the King's orders.

The Chief Justice to give his opinion whether the gift made to Henry Walrond by the Barbados Act of Excise be not irregular. [*Col. Entry Bk., Vol. CVIII., pp.* 177-183.]

Aug. 18. **318.** William Blathwayt to Lord Culpeper. Forwarding the address of the Council of Virginia of April 21 (*see No.* 140) for his answer and proposals. [*Col. Entry Bk., Vol. LXXXII., pp.* 334.]

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[Aug. 18.] **319.** Edward Randolph to Lords of Trade and Plantations. More than nine months have passed since judgment was entered for the late King against the charter of Boston, whereby the Government of the Colony is vested in the King; yet to this day disaffected persons, under cover of the vacated charter, pretend to exercise government there, and countenance breaches of the Acts of Trade and Navigation. There is now no Government there, and the loyal party, which is always the majority, is in daily expectation of deliverance from the oppression that they have groaned under; but being kept out of the Government they cannot relieve themselves, nor put a stop to the mischief complained of. I suggest that the King should erect a temporary Government of the best-disposed persons on the spot, until the Governor-General of New England shall be despatched. I have served the writs on the proprietors of East and West New Jersey and Delaware, and await orders about the two *Quo Warrantos* issued against Rhode Island and Connecticut, which are returnable next term. If the King think fit to commit the duty to me, I could serve the writs and establish the temporary Government. *Signed*, Ed. Randolph. *Holograph.* 1¼ *pp. Endorsed. Read at Committee*, Aug. 18 1685. [*Col. Papers, Vol. LVI., No.* 33.]

[Aug. 18.] **320.** Petition of William Penn to the King. Has long waited the decision of the difference between himself and Lord Baltimore; and though referred to the issue of the *Quo Warranto* on Lord Baltimore's patent, yet finds the delay very ruinous, for the question is of title of land and not of power, and so not touched by the *Quo Warranto.* Prays an early hearing by the Lords of Trade and Plantations. *Signed*, Wm. Penn. *Holograph.* 1 *p. Inscribed.* Recd. from the Earl of Middleton, 18 August 1685; read same day. [*Col. Papers, Vol. LVI., No.* 34.]

[Aug. 18.] **321.** Petition of same to Lords of Trade and Plantations. For an early hearing. *Holograph. Unsigned. Inscribed.* Recd. 18 Aug. 85. [*Col. Papers, Vol. LVI., No.* 35.]

Aug. 18. **322.** William Blathwayt to Henry Guy. Forwarding petition of Barachiah Arnall and Sir William Stapleton's report thereon for the opinions of the Commissioners of Customs. [*Col. Entry Bk., Vol. XLVII., p.* 192.]

Aug. 18. Treasury Chamber. **323.** Henry Guy to William Blathwayt. Asking that copies of the instructions issued to Governors respecting the Acts of Trade may be forwarded to the Admiralty for distribution to the captains of ships serving in the Plantations. [*Col. Entry Bk., Vol. XCVII., p.* 150.]

Aug. 20. Barbados. **324.** Deputy-Governor Edwyn Stede to Lords of Trade and Plantations. We are in some degree restored to our senses and to peace since Sir Richard Dutton left. We are full of joy at the news received two days ago of the defeat of the rebels in Scotland and the capture of Argyle, as well as of those headed by Monmouth, whose head we hope has paid for his treason by this time. I have

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begun to inspect the affairs of the Government, and first of the Church. The clergy unanimously agreed to take the oaths of allegiance and supremacy and to sign the test. I found the Courts of Justice and Chancery all out of order and much in arrear of business. Most of the business is now despatched, I having set the example in the Court of Chancery. I am now taking account of the fortifications, artillery, and ammunition, hoping to persuade the Assembly to finish them, though at present, by reason of the large gifts made to Sir Richard Dutton and Henry Walrond, amounting to 3,000*l.*, out of the excise which was raised for the maintenance of the fortifications, we are not able to carry them on. Indeed Sir Richard Dutton has given little care to the King's service since his last return to the Island, having employed his thoughts wholly to enrich himself and ruin Sir John Witham. No public thing has been finished but the new magazine, where I have seven hundred barrels of powder, and fifteen hundred spare firearms. I do not wonder at Sir Richard Dutton's anger at me for opposing his passing away the King's right to some land, for he lost a hundred pounds by it. But I hope the King will gain more than this by this land. I doubt not in time to discover to you many similar bargains of Sir Richard Dutton for his own profit and to the King's loss. Mr. Tollemache, son to the Duchess of Lauderdale, who killed the purser of H.M.S. Diamond, is here on bail, and begs to be brought to trial as soon as possible. I therefore granted a special commission and summoned two juries, with due respect to his quality and to the justice of the cause, and he was found guilty of manslaughter only. He was allowed benefit of clergy, and he chose to be burnt in the hand to save him from being appealed in England. *Signed*, Edwyn Stede. 2 *pp.* *Endorsed.* Read 31 Oct. 1685. [*Col. Papers, Vol. LVI., No.* 36, *and Col. Entry Bk., Vol. VII., pp.* 328-333.]

Aug. 20. New Hampshire. **325.** Robert Mason to Lords of Trade and Plantations. Your letter of 22 May last (*see No.* 198) was opened by Captain Barefoot, Governor Cranfield having sailed for Barbados. In obedience to your order I will give my attendance in June next to answer the appeal, and prove my just title to the soil of this province. In obedience to your letter of 29 April I shall forbear to commence any more suits upon title of land until William Vaughan's appeal has been heard, but I conceive that you do not intend me to suspend the judgments for my costs in the several actions, many of the defendants having given bills to discharge the same, or to discharge such as are in execution for nonpayment. I have had the patience to wait a whole year for most of them, in hope of an amicable arrangement. I have now caused it to be published that if anyone else shall appeal, they shall be admitted to be heard before you, and have a month allowed to enter their appeals with the Secretary of the province, that the matters may be finally determined; but their design is to weary me out, if they can, by continual troubles and expenses, while they make purse among themselves out of my estate, to bear their expenses. Upwards of 400*l.* has already been collected from Vaughan and Weare, and more will be raised, to carry on the design against me, by the fanatic party. As to the trials I have had with the terre-tenants, I conceive that it was according to the report of the Chief Justices of 17 July 1677, confirmed by the royal letter of 23 June 1682, which required the Courts of Massachusetts to admit me to prosecute my right. As to the clause in Governor Cranfield's Commission, he and I conceived it to relate to the value of lands and quit-rents, and not to title. If I have done wrong I ask pardon. It is a great prejudice to me to have to sue in this place, where jurymen take upon themselves to be judges of law as well as of fact, as in the case of Mr. Vaughan. The lands he holds are worth 150*l*. a year, and he has held them for about ten years. I brought an action for 500*l*. damages, and the jury found that the land was mine, and as damages for the time passed awarded me two shillings. Since the arrival of Vaughan and Weare, the preachers and church-members have used all imaginable industry to prevent the inhabitants from agreeing with me. Such as have become my tenants are vilified and abused, and several riots have been committed upon the lands of those who have taken deeds from me, pulling down frames of houses, throwing down fences, mowing the grass, and felling the timber. When the people seek redress, the trespassers plead that it ought not to be tried, being a matter of title, and that all my grants signify nothing till the present King declares my right, as the late King so often did. I beg for a letter from you to encourage the loyal party and suppress the insolent. *Signed*, Robert Mason. *Holograph.* 2 *pp.* *Endorsed.* Recd. 21 Dec. 1685. [*Col. Papers, Vol. LVI., No.* 37, *and Col. Entry Bk., Vol. LXVII., pp.* 151-155.]

Aug. 21.
Custom House.

326. Commissioners of Customs to Lords of Trade and Plantations. On the petition of Barachiah Arnall (*see No.* 297). We think that, as the King has received no prejudice and the Act of Navigation has not been evaded, the petitioner is a fit object for the King's mercy. *Signed*, J. Buckworth, Jo. Werden, D. North, T. Chudleigh. 1 *p.* *Endorsed.* Recd. 24 Aug.. Read 26 Aug. 85. [*Col. Papers, Vol. LVI., No.* 38, *and Col. Entry Bk., Vol. XLVII., p.* 193.]

Aug. 21.
Sept. 10.
Onnontagué.

327. Father Lamberville to [Governor Dongan]. Since my last the "Sonnentonans" [Senecas], who wished to make a disturbance and determine all the Maquois to join them against Mons de La Barre, have changed their minds. This is in consequence of an assurance that the peace made last year, as you desired, should not be broken by Mons. de La Barre, as had been maliciously insinuated by a hundred false reports. To finish the work so happily begun, it remains only to exhort the Sonnentonans to add more peltry to the ten beaver skins and thirty otters which they have left in store at Onnantagué to satisfy Mons. de La Barre, as you recommended them to do last year. May your zeal for the public peace, above all for that of the Christians of America, urge you to put the finishing touch to the work at once, and recommend the Sonnentonans and other tribes to distrust current false rumours, for the Governor of Canada desires with all his heart to preserve peace and second your upright intentions. The Onnontagués and

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those who are of their sentiments have wrought earnestly with the Sonnentonans to make them revert to peaceful intentions, as has also the Sieur Arnaut, bearer of this letter, who was present at all that was said and done, and will be glad to give you a full account. Since, by your efforts, peace is likely to be maintained, we shall continue to carry the Christian faith into this country, and to entreat those Indians, whom you honour with your friendship, to embrace it. This is the one object that has brought us hither, that the blood of Jesus Christ, which was shed for all men, may be profitable to them, and that His glory may be great upon earth. If you could honour me with a word from your own hand, you can give your letter to one Garakontié, who is deputy for the Onnontagués at the congress which you are calling at Albany. Do him the favour to exhort him to be a good Christian, as was his brother, whose name he bears. Advise him to get drunk no more, as he promised when he was baptised, and to do his duty as a Christian. One word from you will affect his mind very greatly, and he will publish abroad that it is untrue that the English forbid them Christianity, since you, their Governor, exhort him to persevere therein. I pray God, who has united us in the same Catholic faith, to unite us also in heaven. *Signed*, Jean Lamberville, of the Company of Jesus, called in Indian (*en sauvage*) Teiorheuseré. P.S.—Pardon me the liberty that I take in presenting my humble respects to the Governor of Virginia, whom the Indians call Longsword. I hear that he will be near you at Albany. Some time ago I caused an Englishman, called Robetman, whom the Indians had robbed and captured, to him, saving him from the fury of the disorderly and from those who wished to make a slave of him. It was the least that I could do for him. *French.* 2½ *pp. Printed translation in New York Documents, III.*, 453. [*Col. Papers, Vol. LVI., No.* 39.]

[Aug. 23.] **328.** Lords of Trade and Plantations to the King. Recommending the adoption of Edward Randolph's proposals for a temporary Government at Boston (*see No.* 319). [*Col. Entry Bk., Vol. LXI., p.* 250.]

Aug. 24. **329.** Henry Guy to William Blathwayt. Forwarding report of Commissioners of Customs on the petition of Barachiah Arnall (*see No.* 326). [*Col. Entry Bk., Vol. LXVII., p.* 192.]

Aug. 24. **330.** Minutes of a Council of War held at Jamaica. Orders as to proceedings in a general alarm agreed to. The Governor proposed at the present juncture that the Council should take the oath of allegiance, which was done. Report of a Court-Martial on Captain Charles Hudson, for treasonable words. Ordered that he be cashiered, and that he be prosecuted by the Attorney-General. Order for a Court-Martial on captured negroes ; the members nominated. Captain Davis's proposals agreed to, viz., in consideration of 100*l.* a month, one month to be paid in advance, to pursue the rebels with his Indians till he has destroyed them completely. Order for payment of the first instalment to him. [*Col. Entry Bk., Vol. XXXVI., pp.* 91-92.]

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Aug. 24. **331.** Minutes of Council of Jamaica. Order for payment of three months' salary to the Governor. [*Col. Entry Bk., Vol. XXXVI., p.* 87 *and p.* 100.]

Aug. 26. **332.** Journal of Lords of Trade and Plantations. The business of Mr. Penn and Lord Baltimore postponed to 2 September.

Mr. Bysshe's and Colonel Cony's case was heard. Bysshe ordered to put in his answer to Cony.

Sir John Witham attended and swore to the statements put in on his appeal.

Sir Philip Howard's memorial considered. Petition of Jacques Gonzales read (*see No.* 228). Report of Commissioners of Customs on the petition of Barachiah Arnall read. Agreed to recommend him as a fit object of mercy.

Edward Randolph's petition (*see No.* 334) read and reserved for consideration.

On petition of Mr. Rousby, brother to the murdered Christopher Rousby, agreed to recommend that Colonel Talbot be tried by Special Commission in Virginia.

The Lords agreed to represent to the King the petition of Edward Gove for release. *Memo.* The King ordered him to be pardoned. [*Col. Entry Bk., Vol. CVIII., pp.* 183-187.]

Aug. 26. **333.** Lords of Trade and Plantations to the Lord President. Desiring the King's opinion as to a clause in the commission for the temporary Government of New England as to calling Assemblies for raising money, since the law-officers report that, notwithstanding the forfeiture of the charter, the right still remains in the inhabitants to consent to such laws and taxes as shall be made in New England. [*Col. Entry Bk., Vol. LXI., p.* 251.]

Aug. 26. **334.** Petition of Edward Randolph to Lords of Trade and Plantations. I have already made eight voyages to and from New England on the King's business, and am just starting on the ninth. I beg your recommendation for my appointment as Secretary and Registrar of the Colonies to be united under the Government of New England. *Holograph.* 1 *p.* *Endorsed.* Recd. 26 Aug. 85. [*Col. Papers, Vol. LVI., No.* 40, *and Col. Entry Bk., Vol. LXI., p.* 251.]

[Aug. 26.] **335.** Petition of Edward Gove, for pardon. Has been in the Tower of London since June 1683. Statement of case annexed. 2 *pp.* *Endorsed.* Recd. 26 Aug. Represented to the King, 30th. [*Col. Papers, Vol. LVI., No.* 41.]

Aug. 26. **336.** Deposition of John Shaw, before the Lords of Trade and Plantations. Was carried away from Sir John Witham's, his master's house, on 23 June last by warrant from Sir Timothy Thornhill, and on 24th June brought up before Sir Timothy, who required him to swear to certain written depositions and questions, using threats to compel him. On the 26th he went into town to give evidence before the Commissioners appointed by the Governor, but objected to four of them, Messrs. Hothersall, St. John, Chester, and Walley, as not

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impartial; of whom two cross-examined him and altered his depositions. On 1 July, Walley again did his best to discourage witnesses for Sir John, and encourage them against him. Material witnesses for Sir John told him a few days later that they had been threatened with ruin if they should give evidence for him. On the last day of taking depositions Henry Walrond was present, and scurrilously abused all Sir John's witnesses. 3 *large pp. Endorsed*, 26 Aug. 1685. Recd. 9 Sept. 1685. [*Col. Papers, Vol. LVI., No.* 42.]

Aug. 27. **337.** Journal of Assembly of Nevis. The Council and Assembly agreed that the fortifications should be repaired. The Assembly proposed that a fine be imposed on all who keep their negroes at home and do not forward the work of fortification. Order for a joint Committee to draw up an Act for the purpose. [*Col. Papers, Vol. LVI., No.* 43.]

Aug. 29.
Jamaica. **338.** Governor Cranfield to Lords of Trade and Plantations. I sent you a copy of my commission to Walter Barefoot from Barbados. Your grant of leave of absence came very seasonably to me, but the physicians say that those coagulated and congealed humours that are settled in my legs cannot be thinned and dispersed without the benefit of the Bath in England. Being unable to be of service here, I beg for my discharge and for leave to return home. *Signed*, Edw. Cranfield. [*Col. Entry Bk., Vol. LXVII., p.* 150.]

Aug. 29.
Jamaica. **339.** Lieutenant-Governor Molesworth to William Blathwayt. Several ships have arrived from London, but no letter from you. We are still much in the dark. The judges refuse to sit by their old commissions in cases of life or death, and hesitate to do so in matters of property. About a month since all Widow Grey's negroes at Guanaboa, together with others, some hundred and fifty in all, rose in rebellion. They attacked first a house where there were five and twenty good arms and but two white men, broke through the walls and killed one man. Mrs. Grey escaped, while they were seizing the arms, to a neighbour, Major Price; but the negroes being now well armed attacked Price's house, killed one man and wounded another, but having lost one of their conjurors, on whom they chiefly depended, they retired to breakfast, meaning to return to the house later, not doubting, if they could cut off that family, to be masters of all Guanaboa, and have a thousand more negroes to join them, which was very probable. Had not a negro of Mrs. Grey's escaped and brought the news to town long before I heard of it from any officer of the quarters it was not unlikely to have taken effect. But I immediately sent thirty troopers, the first that could be got, together with forty choice foot soldiers from town. The troopers arrived just after the negroes had finished breakfast, and prevented their attack on Price. The negroes then chose an advantageous hill full of craggy rocks and stumps of trees, where the horse could not possibly approach them. A part of the troop dismounted to get nearer to them, but one trooper being killed, the rest fell back to await the arrival of the foot. The negroes no sooner saw and received a volley from the foot than they

took to their heels and broke up into two or three parties, about thirty of the stoutest and best armed keeping together and making their way through the mountains to St. Ann's. At the feet of the mountains they cut off a small family that sold rum to travellers, and killed a man, a woman, and two children, when a party at their heels forced them to take a new path towards St. Mary's. Here a widow, with two children and a man, living in a house remote from all others, were all cut off and killed. This is all their mischief so far, though much too much, and all I hope that they will be able to do, for there are so many parties after them that they will have no rest. They choose such inaccessible mountains and rocks for their refuge that it is only with the greatest difficulty that our people come up with them, and they are on flight again before we can do much execution on them. They have not the courage to stand against a party of six men, so that all our success so far has been to capture about thirty, kill seven outright, and force in about fifty, who surrendered after the rout of Guanaboa. On their first rising I summoned the Council, who advised the assembly of a Council of War and the proclamation of martial law. We put all the several quarters into arms for their own defence, and to provide parties for pursuit; and we ordered six other parties, each of twenty choice men, whom we took into pay at the rate of half-a-crown a day for sergeants and eighteen pence a day for men, and distributed them so as to keep up a continual pursuit. The money for the pay is to be advanced from the Treasury, the Council and field officers, many of whom are in the Assembly, engaging to refund it out of their own pockets if the Assembly should decline to do so by taxation. For this reason I hope that the Governor will not again be left without orders to call an Assembly on extraordinary occasions. At our Council of War we made an agreement with Captain Davis, who with his Indians will follow the track of the negroes as well as a beagle follows the fresh scent of a hare, and have provided him with twenty choice men. He engages to destroy them all in less than two months after he has been laid on their track, and not to leave them till he has rendered them incapable of further mischief. But as he was forced to go to his house, which, as I have told you, was threatened by the Spaniards, it will be ten days before he can get back to his Indians, when our parties will be recalled and martial law will be revoked.

At the same meeting of the Council I thought fit, in view of our circumstances and late advices from England, to propose the taking of the oath to His Majesty, which was cheerfully accepted. The whole board therefore took it, and I ordered that every Colonel should call a regimental Court-Martial and administer the oath to the commissioned officers. At the same time we settled the place of rendezvous for every regiment in case of alarm from abroad, and have provided fireships and taken all precautions as though war had been declared, for we know not what tricks your great neighbour over the water may play, after what we understand he has done in the matter of the rebellion at home. His strength in ships and men that live on rapine and are ready for any design is such as to make us jealous. By late advice from Carthagena we learn that the privateers in the South Seas have left Panama, so that the

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passage from thence to Lima is again free, and the merchants' and King's money can come down. We hear that the French privateers had landed a thousand men at Campeachy, but that they had been stoutly opposed by seven hundred Spaniards. Several small vessels of ours have been carried into Carthagena, and about thirty of our people are employed about the walls. Their relations petitioned me to send the frigate to demand them, which I did eighteen days ago, so that I expect her back shortly. The Agent for the New Assiento took the opportunity to agree with the former Agent for the despatch of three hundred negroes under convoy of the frigate, embarking with them himself. We promise ourselves a considerable trade in negroes with the Spaniards, for before his departure he left full powers and instructions with his factors for carrying on the business. I have stopped a small vessel bound to London to make her carry the enclosed address of loyalty to the King. We hope that our next ships will bring us news of the suppression of the traitors. I must not omit to tell you of the vast discouragement that will be thrown on planting by the additional duty on sugar. It will certainly throw new plantations out of cultivation, and prevent the enlargement of others. The ordinary charges and risks of planting forbid us to bear any additional burden, much less this duty, which makes (with what we pay for Customs and Excise) more than half the clear production of every man's estate. If the gentlemen who impose this on us would tax themselves in the same proportion, we should be the most satisfied persons in the world. But what discourages us most is to see how the gentlemen of the House of Commons (for some mistaken interest) are set against us. It may often be in their power to ruin all the plantations unless the King interpose. Those that persuade the King that the duty will fall only on the expender argue well, supposing that no other nation made sugar but ourselves. But when we consider that the French, Dutch, and Portuguese are all our competitors, and that the chief vent for our own is in foreign markets (which, by this additional duty, will be lost to us), all their reasoning is invalid, and tends only to destruction of the plantations. The short of it is, that Virginia receives a mortal stab, Barbados and the Islands fall into a hectic fever, and Jamaica into a consumption. These are my private thoughts, though I tell others not to be discouraged, for the more we pay to the King the surer we shall be of his protection. But our great hope is that the King will not pass it, for when the Ministers consider that, in consequence of this duty, no more white sugar can be imported, so that in seven years the revenue will be much less than it was before the additional duty, while the only advantage thereof will be to the refiners, and the ruin of the plantations will inevitably follow, we have reason to hope that the Act may not pass, or that an equivalent duty, less disadvantageous to the public, may be substituted.

Captain Mitchell is just come in from Carthagena. He reports that the Governor was not very civil, and would not permit him to deliver his letter with his own hand, but forced him to negotiate by letter. This may have led to misunderstanding, but the sum of all is that the Governor refused to restore the prisoners, as they were taken by order of the General of the galleons as being no

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otherwise than pirates. They are therefore under the jurisdiction of the General, who is now at Porto Bello, and intends to take them to Spain. He added that, were they under his own jurisdiction, their treatment would be the same, that they were fortunate to be employed on the walls and to receive good meat and drink, with a good deal of stuff to the same purpose; which was unnecessary, considering that I pleaded not for pirates but for simple traders. I hope to send you copy of my instructions to Captain Mitchell. He reports that the pirates in the South Seas are in great distress, the Indians having turned against them. They wander from place to place in seven ships, which are in too ill repair to sail to European seas. When last heard of there was a squadron of ships in pursuit of them. It is also certain that fifty men, English or French, were decoyed into the country and massacred by Indians, who sent their heads to Carthagena. I hope soon to hear from you, for the truth is that we shall have a failure of justice unless I receive power to issue new commissions to the judges. The jails are so full of criminals that the Marshal complains that he cannot secure them. *Signed*, Hder. Molesworth. *Holograph.* 9 *pp. Endorsed.* Recd. 2 Nov. 1685. [*Col. Papers, Vol. LVI., No.* 44, *and Col. Entry Bk., Vol. XXXI., pp.* 87-102.] *Annexed,*

339. I. Lieutenant-Governor Molesworth's orders to Captain David Mitchell, H.M.S. Ruby. To sail to Carthagena and ask the Governor for restitution of prisoners and sloops seized on pretext of piracy; and in case of failure to lodge a protest. *Dated,* 4 August 1685. *Copy.* 2 *pp. Inscribed and endorsed.* Recd. 2 Nov. 1685.

339. II. The same to the Governor of Carthagena. Asking restitution of the said prisoners and sloops, but disclaiming all wish to protect pirates. *Dated,* 4-14 August 1685. *Copy.* 1½ *pp. Endorsed.* Recd. 2 Nov. 1685.

339. III. Address of loyalty to the King from the Lieutenant-Governor, Council, and field officers of Jamaica. *Large sheet, inscribed.* Recd. 2 Nov. 1685. *Copied in Col. Entry Bk., Vol. XXXI., pp.* 77-79. [*Col. Papers, Vol. LVI., Nos.* 44 I.-III.]

Aug. 29. **340.** Minutes of a Council of War held at Jamaica. The Governor, Council, and field officers agreed to a loyal address to the King. Copy of the address. [*Col. Entry Bk., Vol. XXXVI., pp.* 92-93.]

Aug. 30. **341.** Clause inserted in the new instructions to Lord Howard of Effingham. To demand the surrender of George Talbot by Maryland, whether tried or untried, for trial by a special commission of oyer and terminer. [*Col. Entry Bk., Vol. LII., p.* 105.]

Aug. 30.
Windsor.
342. Instructions to Lord Howard of Effingham as Governor of Virginia. A clause forbidding presentation to a benefice without the Bishop of London's certificate; a clause directing report of several Acts of 1676; a clause authorising a claim for the delivery of George

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Talbot in the King's name, whether tried in Maryland or not, a commission of oyer and terminer for his trial in Virginia being prepared. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. LXXXIII., pp.* 20-61.]

[Aug. 31.] **343.** Answers of Richard Bysshe to Governor Cony's charges in his letters of June 4 (*see No.* 210). *Endorsed.* Recd. Aug. 13 85. [*Col. Papers, Vol. LVI., No.* 45.]

[Aug. 31.] **344.** Answer of the same to the Attestation of William Peniston. Undertaking to prove his case against Governor Cony. 1¼ *pp. Endorsed.* Recd. 31 Aug. 1684. [*Col. Papers, Vol. LVI., No.* 46.]

Sept. 1. **345.** Minutes of Council of Barbados. Orders for various payments to gunners, and for work and material for fortifications. The Assembly attended the Lieutenant-Governor, who pointed out the absolute necessity of provision for the fortifications, especially of those to leeward. He also reported that the new magazine was finished; that the fortifications of St. Michael's stand well considering the encroachment of the sea; and that the new brass pieces from England were not yet mounted for want of suitable timber. Address of the Assembly to the Lieutenant-Governor begging his intercession with the King against the additional sugar-duty. A joint Committee appointed to fulfil the ends of the address. The Speaker reported that they were raising a levy on negroes for present needs, and would in time find other expedients to meet the wants of the country. Adjourned to 3rd. [*Col. Entry Bk., Vol. XI., pp.* 619-642.]

Sept. 1. **346.** Journal of Assembly of Barbados. Address to the Governor asking his assistance in obtaining relief from the additional sugar-duty carried. Vote of 1,000*l.* carried for payment of matrosses and poor people employed on the fortifications, the sum to be levied by tax of 7½*d.* per head of negroes. John Waterman, William Forster, John Davies, and John Mills appointed of the joint Committee to draw up a petition to the King for remission of the additional duty on sugar.

Sept. 2. The tax per head increased to ninepence.

Sept. 2. Bill for a levy on negroes, and bill to prevent trading with negroes read and passed. Adjourned to 15th. [*Col. Entry Bk., Vol. XIV., pp.* 113-116.]

Sept. 2. **347.** Journal of Lords of Trade and Plantations. The case of Lord Baltimore and Mr. Penn as to their boundaries was heard, and adjourned to 30th inst.

Sir Philip Howard and the members of the African Company attended. Ordered that the Company draw up proposals for the supply of negroes. Petitions of John Thorp and John Banckes read (*see Nos.* 348, 349). Order for them to be delivered to Lord Sunderland.

The report of the Commissioners of Customs as to Barachiah

Arnall to be sent to the Lord Treasurer. [*Col. Entry Bk., Vol. CVIII., pp.* 188-190.]

[Sept. 2.] **348.** Petition of John Thorpe and James Wall to the King and Privy Council. Praying for redress for the capture of the sloop James by the pirate Yankey off the coast of Carthagena (*see Nos.* 258, 259). A detailed account of the case. 2½ *pp.* [*Col. Papers, Vol. LVI., No.* 47.]

[Sept. 2.] **349.** Petition of John Banckes to the King and Privy Council. Praying for redress for unjust detention of the pink St. George, by the Government of Petit Guavos. 1 *p.* *Endorsed.* Received 2 Sept. 1685. *Memo.* That this and foregoing petition were delivered to Lord Sunderland, to be sent to the envoy at Paris. [*Col. Entry Bk., Vol. XXXI., pp.* 83-84, *and Col. Papers, Vol. LVI., No.* 48.]

Sept. 2. **350.** Edward Randolph to Lords of Trade and Plantations. I annex a list of persons fit to be employed in the temporary Government of Massachussetts Bay, that you may select as many as you think necessary. I beg that the Commission prepared by Mr. Blathwayt may be read before the Committee enters on the business of Lord Baltimore and Mr. Penn. A great part of the time-limit for serving writs on Rhode Island and Connecticut is lapsed, and it is time that I were despatched forthwith to New England. *Signed,* Ed. Randolph. *Holograph.* 1 *p.* *Annexed,*

350. I. Names of well-disposed persons for the Council of Massachusetts Bay. One President, one Deputy-President, and eighteen to be of the Council. 1. Joseph Dudley, Simon Bradstreet; 2. William Stoughton; 3. Peter Bulkeley; 4. John Pyncheon; 5. Richard Wharton; 6. Waite Winthrop; 7. Nathaniel Saltonstall; 8. Bartholomew Gidney; 9. Jonathan Ting; 10. John Usher; 11. Dudley Bradstreet (son to the Governor); — Hinkman; 12. The Secretary. In the Province of New Hampshire. 13. Robert Mason; 14. John Hinks. In the Province of Maine. 15. Francis Champernoun; 16. Edward Ting; Edward Blackman. Narragansett Country. Edward Palmer; 18. Richard Smith; Francis Brinley. *The numbers seem to indicate the rank according to which the individuals were rated by Randolph.* 1 *p.*

350. II. Names of fitting persons to be of the Council of the Colony of Charlestown Bay, New England. Simon Bradstreet, Joseph Dudley,* William Brown, sen.,* Nathaniel Saltonstall, Richard Wharton, William Stoughton,* Jonathan Ting, Peter Bulkeley,* John Pyncheon, sen., Waite Winthrop, Bartholomew Gidney, Edward Randolph, Secretary. *Names marked * have against them the words* put out *or* out.

Towns to have liberty to choose Assembly-men. *The number indicates the number of members allotted to each.*

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Boston	3	Salem	2
Ipswich	2	Newbury	2
Salisbury	1	Andover	
Braintree	1	Hingham	1
Windsor	1	Weymouth	1
Springfield		Rowley	1
Hadley		Beverley	
Northampton		Cape Ann	
Doncaster	1	Charlestown	2
Roxbury	1	Malden	
		Lynn	1
		Marblehead	
	10		10

350. III. New Plymouth Colony. Persons to be of the Council: Thomas Hinckley, John Walley, — Thornes, — Lathrop, William Bradford, Richard Burton, Benjamin Church, Secretary.

Towns to choose Assembly-men.

Plymouth	1	Marshfield	1
New Bristol	1	Dunkery	
S. —— (?)	2	Taunton	1
Sandwich	1	Barnstable	1
		Swansea	1

Province of Maine.

Council: Champernoun, Edward Blackman, John Shapleigh, Edward Ting, Sam. Wheelwright, Edwd. Rushworth, Secretary.

Towns to choose Assembly-men.

York 2, Wells 2, Casco Bay 1, Kittery 2, Kennebec 1. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVI., Nos.* 49-49 I.-III.]

Sept. 2. **351.** William Blathwayt to Sir William Stapleton. The King pardons Barachiah Arnall the forfeiture of his ship and bond (*see No.* 297). *Draft.* ½ *p.* *Endorsed.* [*Col Papers, Vol. LVI., No.* 50.]

Sept. 2. **352.** The same to Henry Guy. To the same effect as the above. The Commissioners of Customs will report to the Lord Treasurer accordingly. [*Col. Entry Bk., Vol. XLVII., p.* 194.]

Sept. 3. **353.** Minutes of Council of Barbados. Order for surveyors to give an account of the acres in each parish to be taxed for repairing the way to St. Michael's. Act for a levy on negroes brought up by the Assembly and passed. Act to prevent persons from trading with negroes presented. Adjourned to 15th. [*Col. Entry Bk., Vol. XI., pp.* 642-3.]

Sept. 3. **354.** Acts of Barbados, 3 June to 3 September 1685.
Act to confirm the lease of Fontabelle.
Act to continue expiring Acts.

Act for a levy on negroes.
Act to prevent trading with negroes.
Act for settlement of the Militia.
Act for an impost on imported liquors.
Act concerning Attorneys.
Act for commutation of the four and a half per cent. duty.
Act for a present of 100*l.* to Captain Jones.

These last three Acts are in Vol. XVI. only. [*Col. Entry Bk., Vol. XIV., pp.* 57-105, *and Vol. XVI., pp.* 101-143.]

Sept. 4. **355.** Journal of Assembly of Nevis. Act concerning the fortifications read and passed by the Council and Assembly. [*Col. Papers, Vol. LVI., No.* 43.]

Sept. 8. **356.** Articles agreed upon between the English in New Hampshire and the Indians inhabiting that province. Lasting peace. Indians injuring English to be punished by the Sagamore, English injuring Indians by any justice of the peace. Indians to warn English of any Indian conspiracy. English, while the peace continues, to protect Indians against Mohawks or other tribes. Indians not to leave English plantations with their wives without timely notice; if such notice be not given, it will be understood that the peace is broken, and the English shall have right to apprehend the Indians. *Signed,* Robert Mason, Walter Barefoot, Francis Hooke, John Davis, Robert Elliott, Henry Green. *Signed,* Winnolancet, Mesandowit, Netambonet, Kancomagus, Wahowah, Tecumorissick, Umbesnowak, Upsawah, Baggeson, Higgon, Newcone, Josias, Robin, Nomeny, Joseph, Ned. *Copy,* certified by Richard Chamberlain. *The marks against the Indian names are all different, and evidently carefully copied from the original. The five names, Josias, etc., to Ned, are written against those of Tecumorissick and the four following Indian names, and having no marks against them, appear to be simply English appellatives applied to those Indians. The whole* 1 *p. Endorsed.* Recd. from Mr. Mason, 30 July 1686. [*Col. Papers, Vol. LVI., No.* 51.]

Sept. 9. **357.** Journal of Lords of Trade and Plantations. The Lords recommend the immediate despatch of Lord Howard's instructions, together with a copy of the Commission, which the King approved.

A draft grant submitted by Mr. Wharton was referred to the Attorney-General.

Petition of Richard Young read (*see No.* 176). Order that he be furnished with copies of the proceedings against him.

Draft Commission for the Governor of Massachusetts, New Hampshire, and Maine considered. The Lord President desired to ask the King as to calling Assemblies for making laws, and as to inserting a clause for liberty of conscience. *Mem.*—The King replied that no mention should be made of an Assembly in the Commission.

Mr. Bysshe, Mrs. Cony, and Mrs. Oxford were called in. The Lord President was directed to represent that Mr. Bysshe and Mrs. Oxford should be discharged from their bail, as Governor Cony was faulty in his directions to the Commander of the ship that brought them over, and to ask for the signification of the King's

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pleasure on the whole state of Bermuda.

Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 191-197.]

[Sept. 9.] 358. Deposition of Sir John Witham. On arrival of the King's order for my release, dated 28 March, I asked for liberty and to be restored to Council. Sir Richard Dutton said I should never be a member of Council, and soon after obliged me to enter into much stricter recognizances than the order required. The Council empowered me to take depositions before any of them, but whereas the King had ordered execution against me to stop, the Council ordered only proceedings to stop. Mr. Quintyne and Mr. Hallett then issued summonses to witnesses (*see Nos.* 242, 244), at which Colonel Walrond and Mr. Hothersall took offence. Sir Richard Dutton summoned a Council. Mr. Quintyne sent me word that he was threatened to be hanged for granting the summons. The day before my witnesses were to be heard, one of them, John Shaw, was carried off by an unusual warrant from Sir Timothy Thornhill (*see No.* 249), and next day Mr. Quintyne did not keep his appointment. The Governor and Walrond commanded their witnesses to attend in the King's name, whereas mine attended chiefly at my expense and persuasion. On 26th June I addressed myself to the Commissioners appointed by the Council, of whom two, St. John and Walley, tried to ensnare my witnesses. Colonel Hallett told me he dared not take depositions. The 25th and 26th June were appointed by Walrond for taking evidence, but he only cross-examined my witnesses. On 1st July some depositions were taken for me but others were refused, and Mr. Hannay was persuaded to omit half of his evidence. Several of my witnesses durst not appear, and two others, Judge Walrond and Mr. Stede, were sick; thus the depositions of fourteen of my witnesses were not taken, and several persons told me that they were so discouraged they could not appear for me. Two assistants to the Judge of Common Pleas, two justices and another in military office, were turned out because they were well wishers of mine. Mr. Gascoigne and Mr. Quintyne told me they had received unkind language and threats from Sir R. Dutton because the former would not be a Commissioner in the manner appointed. *Signed*, Jno. Witham. 5½ *pp. Inscribed.* Recd. 9 Sept. 1685. [*Col. Papers, Vol. LVI., No.* 52.]

[Sept. 9.] 359. Abstract of depositions on Sir John Witham's behalf, viz., of John Shaw, Sir John Witham, and Ralph Lane (*see Nos.* 256-258, 336). 6½ *pp. Endorsed.* [*Col. Papers, Vol. LVI., No.* 53.]

[Sept. 9.] 360. Draft of a grant of Pojebscot, New England, to Richard Wharton. 4 *pp. Endorsed.* Recd. 26 Aug. 1685. Read in Committee, Sept. 9 1685 and 10 June 1686. Referred to Sir Edmund Andros. *Endorsed on the other side.* A reference of the draft to the Attorney-General for his opinion. *Signed*, William Blathwayt. 9 September 1685. *Below.* Minute of the Attorney-General. That the draft contains nothing unfit for the King to grant. *Signed*, R. Sawyer. 1 May 1686. [*Col. Papers, Vol. LVI., No.* 54.]

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Sept. 9. **361.** Draft of the reference by William Blathwayt abstracted above. *Scrap.* [*Col. Papers, Vol. LVI., No.* 55.]

Sept. 9. Council Chamber. **362.** Lords of Trade and Plantations to Lord Sunderland. Recommending the immediate despatch of the new instructions to Lord Howard of Effingham, with a copy of the Commission, which remains unpassed owing to the death of the Lord Keeper. [*Col. Entry Bk., Vol. LXXXIII., pp.* 61-62.]

Sept. 9. Whitehall. **363.** Lords Proprietors of Carolina to Governor Joseph West. We understand that, notwithstanding our orders of 21 June 1672 and July 1683, Mr. Maurice Mathews and Mr. James Moore are chosen Councillors, in the room of Mr. Andrew Perceval and Mr. Bernard Skenking. Mr. Perceval has not been absent two years, and how Mr. Skenking has ceased to be of the Grand Council we know not. This choice, too, has been made, not by ballot (as provided in our fundamental Constitutions), but by open voice and by surprise, and when there was not the full proportion of members to sit in the House that Colleton County ought to have chosen. Mr. Maurice Mathews, one of the persons thus illegally chosen, and Mr. John Boone are admitted to be deputies, though not the eldest men in age of those chosen by the Commons. This illegal choice is not to be permitted, it being an encroachment on the people's liberties of choice, nor can we suffer men who have, for disobedience, been dismissed from all civil and military employment to be thus irregularly and by a trick imposed upon us as deputies. You will therefore not permit Mathews nor Moore to sit in the Grand Council, but if there be a real vacancy therein, you will direct a new choice to be made by ballot when the vacancies of the members chosen for the two counties are by new writs filled up. Nor will you permit either Mathews or Boone to sit as deputies, the one being not legally chosen of the Grand Council and neither of them the eldest in age of those chosen by the Commons. We positively order that they be put out from being deputies, and that you appoint others in their room. And as inconvenience may arise through the absence of too many of the Grand Council of the Commons' choice, the Governor will in future choose a person to supply the place of any member who has left the province, who shall sit and act as a member of the people's choice until the return of the absent member. Many have hinted to us that there is great disorder in the debates of the Parliament and Grand Council, owing to the boisterous behaviour of some of the members. You must know that it is the method of Parliament that no member speak above once to the same matter, unless the House be turned into Grand Committee, and that every man is to speak in his time; of which the Speaker is the judge. In the Grand Council the Governor is to be judge. If two or more rise together, and if any man behave himself rudely and disorderly, and does not amend upon your first admonition, we would have you (unless he be one of our deputies) put the question by ballot to expel him the Council. If he be a deputy of ours you will report him to us. We sent you an Act against pirates, which we hope is passed. If not, let us know the reason, and who are the obstructors of it. Since writing the above,

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we hear that Mr. Skenking was put out of the Council for misdemeanour. If this was done by a vote by ballot, it is well; but if by vote by open voice you will restore him as not legally put out, and, if he be really guilty, the vote may be repeated by ballot. Complaint has been made to us that many new-comers have been undone by being put upon duty as soldiers, and compelled to contribute largely to other charges before they have been a year in the country or have been able to provide houses or clear land for the subsistence of their wives and families. This we think hard. New-comers should be eased of military duties except in case of actual invasion. *Signed,* Craven, Shaftesbury, P. Colleton, S. Sothell, Tho. Amy. [*Col. Entry Bk., Vol. XXII., pp.* 64-66.]

Sept. 10. **364.** Lords Proprietors of Carolina to Governor Joseph Moreton. We have been informed of irregular proceedings in the choice of members of the Grand Council (*see preceding abstract*), and have given our orders thereon, which you will see obeyed. You will dismiss Mathews and Boone, and appoint other deputies in their stead; and you will discharge them from all offices, civil and military, in the gift of the Governor or Palatine's Court. If they persist in transporting Indians, you will indict them. We hear that Mr. Richard Morgan and Mr. William Brockhouse are men well qualified for the public service of Carolina. You are empowered to grant them land enough to make up their holdings to 500 acres. You will take all imaginable care that no pirates or privateers be received in Carolina. If any harbour them or trade with them you will try them according to the Act sent to you, if it be passed. If it be not passed, you will send us depositions, that they may be tried in some other place. You will take care that the Acts of Trade and Navigation are observed, remembering that they do not prohibit persons and provisions to be brought in English ships from Ireland or Scotland, provided they be of the growth of the kingdom where they are loaded. You will see that the penalty of a Governor for wilfully permitting vessels to infringe the Acts is a fine of 1,000*l.* Complaint has been made to us of ill men in Carolina who encourage seamen to call upon masters for their wages, and, if the masters cannot speedily procure the money, proceed to the condemning of the ship, which is sold for a song. This is a barbarous practice. You will moderate complaints between masters and seamen, so that no hardship fall on either, and you will report to us the names of the men who have encouraged the aforesaid practice. *Signed,* Craven, Shaftesbury, P. Colleton, S. Sothell. [*Col. Entry Bk., Vol. XXII., pp.* 67-68.]

Sept. 10. **365.** Lords Proprietors of Carolina to [Governor Joseph Moreton ?]. We hear that many good substantial men have lately become inhabitants of the Colony. You are therefore empowered to notify to Parliament that it is our pleasure that they make a new choice by ballot of a number of persons equal to our deputies to be of the Grand Council. You will enquire how Mr. Robert Quarry and Mr. Stephen Bull have carried out our instructions as to land-grants, and on the evidence of disobedience will suspend them and fill up their places. If either of them should be a deputy when sus-

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pended from office you will suspend him from being deputy also and fill up the vacancy according to our instructions. Do not suspend them except for just cause, but we insist that our lands shall not be disposed of except according to our methods. *Signed*, Craven, Shaftesbury, P. Colleton, S. Sothell. [*Col. Entry Bk., Vol. XXII., p.* 69.]

Sept. 14. **366.** Minutes of Council of St. Christopher's. Petition of French inhabitants to be taxed for ammunition instead of furnishing labour to the fortifications. Referred to Colonel Thomas Hill and eight of the Council, on whose recommendation the petition was agreed to. [*Col. Entry Bk., Vol. XLVIII., pp.* 41-43.]

Sept. 14. **367.** The Deputy-Governor, Council, and Assembly of Barbados to Lords of Trade and Plantations. Our deplorable condition leads us to beg you to consider the great charge we are at in the making and producing of sugar, our staple commodity. We say no more of our difficulties and risks here, but refer you to the enclosed paper, wherein our hard state is clearly set forth. We are most of us so much in debt and make so little of our commodity when sent to market that we have no hope of clearing our estates. This makes us unable to bear the burden of the late additional duty on sugar; which, though appointed by the Act to be paid by the first buyer in England, will wholly fall on the first maker of it in Barbados, as we know already by woful experience. Sugar that at the beginning of the year was sold here at 13*s.* 6*d.* to 14*s.* the hundredweight, will not now make more than 8*s.* We beg you to lay our representation favourably before the King. *Signed*, Edwyn Stede, John Hallett, John Peers, John Hothersall, John Gibbes, Tho. Walrond, Robert Davers, Tim. Thornhill, Stephen Gascoigne. *Assembly*. John Reid, *Speaker*; Will. Forster, Jno. Codrington, Jo. Davies, John Waterman, John Farmer, Michael Terrell, Paul Lyte, E. Binny, Rich. Elliott, Abel Alleyne, Jon. Leslie, Sam. Lambert, John Mills, Sam. Smith, Ric. Barrett, Richard Salter. 2 *pp. Endorsed.* Recd. 13 Nov. Read 14 Dec. 1685. *Annexed*,

367. I. A Moderate Calculation of the Charge and Produce of a Plantation in Barbados containing one hundred acres. The annual cost of such a plantation, including interest at five per cent. on capital outlay for land, buildings, and machinery, wear and tear, teams (five horses and eight cattle), labour (seven white servants, forty negroes, artificers), and parochial taxation is 745*l.* 10*s.* 0*d.* Of the hundred acres, but forty can be brought into computation of the annual crop, eighteen months being required for the canes to attain maturity, and twenty acres being required for provisions, pasture, etc. The average produce is 2,000 lbs. of muscovado per acre, which, at ten shillings per hundredweight, added to rum and molasses, gives 540*l.* as the worth of the produce. Thus the profits are short by over two hundred pounds of the expenses; but the land was bought and the buildings were erected in many cases during better times. Those who have not

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paid for them will soon be ruined. Our calculation is not exaggerated, for such an estate as we speak of could hardly be bought for less than 4,000*l*, which in England, at six per cent., would bring in 240*l*., and in Barbados, at ten per cent., 400*l*. We have also undervalued the cost of teams, labour, and annual expenses, and we have overvalued the produce. Again, of 80,000 lbs. of sugar for London, but 70,000 of neat sugar can be put on board ship, owing to the following rates. Seventy hogsheads cost 4,900 lbs. of sugar; four and a half per cent. duty amounts to 3,150 lbs.; storehouse and shipping charges amount to 1,950 lbs. *Total*, 10,000 lbs.

Thus the eighty thousand pounds becomes seventy thousand in the shipping, and this, by wastage and pilferage of seamen and storehouse-keepers in London and allowances to the buyer, is reduced to 58,300 at most, which at 20*s*. per hundredweight produces in sterling but 583*l*., from which must be deducted for freight, duty, insurance, commissions, and other charges, 168*l*. 9*s*. 0*d*., reducing the produce to the planter for his 80,000 lbs. of muscovado to 414*l*. 11*s*. 0*d*. It will now be seen how impossible it will be for us to live if the new duty be imposed, which will lower the ten shillings which we now receive to seven. Again, we have omitted from our calculations all the risk of weather, of cane-fires, and of misfortune at sea; to which the knavery of buyers is often added. Moreover, our public expenses are increasing, notably owing to the cost of fortifications. Until this new duty we had some remedy against depression by claying our sugars, but we shall lose this unless relieved, for by improving muscovado into white sugar we lose more than a third of the weight, to say nothing of preliminary expenses. It does not bring twice the value of muscovado, yet the duty thereon is triple of that on muscovado. This will ruin many skilful planters who have become farmers of plantations. Again, we have been obliged to discharge our hired servants, who were a great safety to the Island, since they formed most part of the Militia and curbed our negroes and white servants, which last, being the sweepings of the jails, will be a danger to England if they return. We would point out also that not only the planters here, but the retailers and "consumptioners" in England will suffer from the new duty. We beg consideration. 10 *closely written pp. Endorsed.* [*Col. Papers, Vol. LVI., Nos.* 56, 56 I.]

Sept. 15. **368.** Minutes of Council of Barbados. The joint Committee brought up the calculation of the expense of a plantation to be annexed to the address to the King. The address in question. The letter of the Council and Assembly to the Lords of Trade and Plantations (*see preceding abstract*). [*Col. Entry Bk., Vol. XI., pp.* 644-652.]

1685.
Sept. 15. **369.** Journal of Assembly of Barbados. Order for the penalties on absent members to be enforced.

Sept. 16. The address to the King on the additional duty on Sugar read and passed. Copy of the address and its enclosure (*see No.* 367). Letter to the Lords of Trade and Plantations read and passed. Letter to Mr. Blathwayt, entreating his good offices in the remission of the additional duty, read and passed. Letter to Sir Richard Dutton, to the same effect. read and passed. Letter to Sir Peter Colleton to the same effect, with copies of the address and enclosure, read and passed. An address for the Marshal's salary passed. Adjourned to 24 November. [*Col. Entry Bk., Vol. XIV., pp.* 116-135.]

Sept. 17. Bermuda. **370.** Depositions of [*name lost*] and Richard Sanders as to land in dispute between Stephen Ingham and Nicholas Hide in Bermuda. *Top edge damaged.* 1 *p.* [*Col. Papers, Vol. LVI., No.* 57.]

Sept. 18. New York. **371.** Governor Dongan to the Earl of Sunderland. We gladly received your letter of 26th June, announcing the defeat of the rebels. It came very seasonably to give us a true account of the rebellion amid all the malicious and factious reports that reached us from Boston. In my opinion the King cannot do better than send his Governor thither with all expedition. It would certainly alter the way of that people very much for the better, and the Government would, with discreet management, soon afford a revenue more than sufficient to maintain itself. I have a very exact character of those people, and cannot hear of many that are honest and loyal, except Dudley, Shrimpton, Wharton, Usher, McCarthy, and a few more. The place is composed most of strangers, and there are few or none of ill principles. If any of the English be so, they have the wit to conceal it. We want a new seal much, the people being anxious to have the King's seal set to their patents, etc. *Signed,* Tho. Dongan. *Endorsed.* Recd. 22 Dec. 85. 1½ *pp. Printed in New York Documents, III.,* 364. [*Col. Papers, Vol. LVI., No.* 58, *and Col. Entry Bk., Vol. LXVIII., pp.* 83-85.]

Sept. 19. **372.** Minutes of Council of Jamaica. The King's letter of 26 June read (*see No.* 253). The Council desired the Lieutenant-Governor to express their gratitude for the same. The King's proclamation of 11 July read. Ordered that it be read in all Churches on Sunday next, and that the 24th instant be observed as a day of thanksgiving. The Council agreed to a congratulatory address to the King on the suppression of the rebellion. Copy of the address. Order for recalling and paying off all parties of men in pursuit of the rebel negroes, Captain Davis being now in pursuit of them. Order for remitting half a year's salary to Mr. Blathwayt. Adjourned *sine die.* [*Col. Entry Bk., Vol. XXXVI., pp.* 87-89, *and pp.* 100-102.]

Sept. 20. **373.** Warrant of Lords Proprietors of Carolina for grant of 3,000 acres of land to James le Bas. *Signed,* Craven, P. Colleton, S. Sothell. [*Col. Entry Bk., Vol. XXII., p.* 70.]

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Sept. 21.
Barbados.

374. Deputy-Governor Stede to Lords of Trade and Plantations. We have been much troubled by ill weather and a very sickly time of fevers and small-pox, of which great numbers have died. On the 1st instant the Assembly met, to whom I commended the completion of the new forts which, unless speedily finished, would be spoiled, pointing out that the Excise was at present so overcharged by expenses of gunners and artificers that it would not avail to pay for unfinished forts. But the Assembly was unwilling to raise any money, from fear of the new duty, which has lowered the value of all kinds of sugar here. On my further importunity, however, they readily agreed to levy a tax of ninepence a head on young and old, which will bring in 1,500*l.* or 2,000*l.* God be thanked we are in perfect peace and quiet, but the Assembly has adjourned for nine weeks, in consequence of the sickliness. Their great comfort is the hope that their representation to the King may cause a means to be found to relieve the planters from the burden of the additional duty. *Holograph. 2 pp. Endorsed.* Recd. 9 Nov. Read 14 Dec. 85. [*Col. Papers, Vol. LVI., No.* 59, *and Col. Entry Bk., Vol. VII., pp.* 339-40.]

Sept. 21.

375. Minutes of Council of Barbados. Order for payment of 30*l.* to Sir Peter Colleton for the expenses of presenting the address to the King. Adjourned to 27th of October. [*Col. Entry Bk., Vol. XI., p.* 653.]

[Sept. 22.]

376. Account of military stores in Virginia. 4 *long pp. in two columns, marked,* Received. Disposed. *Endorsed.* Recd. 22 Sept. 85. [*Col. Papers, Vol. LVI., No.* 60, *and Col. Entry Bk., Vol. LXXXIII., pp.* 65-75.]

Sept. 23.

377. William Blathwayt to Henry Guy. Forwarding bonds from the Naval Office of Jamaica for the Commissioners of Customs. [*Col. Entry Bk., Vol. XXXI., p.* 71.]

Sept. 25.
Jamaica.

378. Lieutenant-Governor Molesworth to William Blathwayt. The King's letter of 26 June was most gratefully received by us, as well as the news of the defeat of the rebels. The 24th instant was fixed as a day of thanksgiving, and in the Council was prepared an address of congratulation. I find that the additional duty on sugar is much otherwise than we apprehended. We believed that it was to be paid on all imported sugar without exception; but, considering that it is only to be paid on what is expended in England, and that our exported sugars are free from it, I incline to the opinion that it will fall chiefly on the expender. For so much as is necessary for the expense of England will still be brought up, and, so long as our exportation is free, it will be in the merchants' power to place this duty on the consumer. I do not mean that it is so directed by the Act, but that it ought to fall out so by natural course of trade; and if it happen otherwise, it must be for want of management of the merchants. I am at no small trouble owing to the differences of the rival factors of Porcio and Coymans. The powers granted to Coymans have been certified to me by the Bishop of Carthagena, and also by the President of Panama; and one of them requires justice against Porcio's agent. The Courts here are virtually closed, the judges scrupling to sit under their old Commissions; so Coyman's factor has brought the matter before me as Governor and Chancellor, to judge of a matter of state and of equity. The continuance of our negro-trade with the Spaniard depends upon it, for if our methods of justice are so dilatory and imperfect as to protect the factors of the late contractors in withholding the effects of their principals, it can never be expected that they will entrust their estates to any man here, from whom they cannot obtain the justice that is granted to them in every other port where they trade. Besides, it would be a great scandal to us and blame to me if the trade were lost for such reasons. But I shall proceed with all caution, so as not to withhold from one party the justice due by our laws, nor from the other that which is due by the law of nations. The news that the privateers in the South Seas are in great distress is confirmed. Their retreat by land is cut off by revolt of the Indians from them, and they have not ships enough to carry them all by sea, so we may soon hear that they have been wholly subverted. Grammont's French privateers have taken Campeachy, but found nothing there but a few parcels of Indian corn. About five weeks ago a sloop of this Island, which they had impressed, slipped away in the night. The master reported the men sickly and short of provisions, and the ships out of repair, so that they were chiefly concerned how they should get to windward again. From Petit Guavos we hear that the King of France has lately given very strict orders for the recall of all privateers from attack on the Spaniards, wherein hitherto they have been encouraged. This looks as though they were to be turned some other way, for being accustomed to live by rapine and hating honest labour, they cannot forsake their old practices, and we may find ourselves concerned. But we hope that before any serious attack can be made on us the King will have given us a guard of good frigates, or the plantations to seaward will be in great danger. There is, moreover, no enemy that we have such cause to dread as the French.

Just about the time when the first report of Monmouth's rebellion reached us Captain Charles Hudson uttered, in his drink, some words that, in the circumstances, were of serious import. He was at once cashiered, and committed close prisoner in order to his trial; but the Judges expect a New Commission before the trial is likely to be held. For the same reason I have been obliged to bear with a drunken sot who affronts the whole Government by vilifying the Commissions and encouraging others to despise our authority. I have no remedy at present but to commit him close prisoner on board H.M.S. Ruby. The offender is senior lieutenant of the ship, one Butler, who commanded her after Captain May's death, but who since his return to his first station has behaved very mutinously. Sundry depositions against him I was obliged to slight, not knowing how to treat him, but among them is one shewing that when arrested by the guard he ran the corporal through in two places. I mention this to show you my difficulties owing to a worn-out Commission. Captain Mitchell leaves to-morrow for a cruise to windward. He has orders to seize Banister, as we can now prove piracy against him. Another of our sloops, impressed by the

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French privateers, has escaped, and reports that they are going into Honduras Bay to careen. *Signed,* Hder. Molesworth. *Holograph.* 6 *pp.* *Endorsed.* Recd. 10 Dec. 85. [*Col. Papers, Vol. LVI., No.* 61, *and Col. Entry Bk., Vol. XXXI., pp.* 103-112.]

Sept. 25. Jamaica. **379.** Lieutenant-Governor Molesworth to the Earl of Sunderland. The Council was transported into a rapture of gratitude by the King's letter of 26 June. I have written at length to Mr. Blathwayt. *Holograph.* 2 *pp.* *Endorsed.* Recd. 22 Dec. 1685. Duplicate received 13th. [*Col. Papers, Vol. LVI., No.* 62, *and Col. Entry Bk., Vol. XXXI., pp.* 113-115.]

Sept. 26. **380.** A receipt for a hundred prisoners attainted of treason, to be transported by Sir Philip Howard to the Plantations. *Signed,* Chas. Campleman, Matthew Kent. Full list of the prisoners' names, headed, "to be transported from Wells." 2 *pp.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 63.]

Sept. 26. **381.** Similar receipt for a hundred more prisoners, brought from Ivelchester to Wells to be transported. 2 *pp.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 64.]

Sept. 27. Windsor. **382.** Commission to Hender Molesworth to be Lieutenant-Governor of Jamaica. [*Col. Entry Bk., Vol. XXXI., pp.* 69-70.]

Sept. 27. Windsor. **383.** William Blathwayt to Captain Thornhill. Transmitting a copy of Bysshe's articles against Governor Cony for reply by his Agent. *Draft.* ½ *p.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 65.]

Sept. 27. **384.** Commission for the Government of Massachusetts, New Hampshire, Maine, and Narragansett by a President and Council. Joseph Dudley, President. Simon Bradstreet, William Stoughton, Peter Bulkeley, John Pyncheon, Robert Mason, Richard Wharton, Waite Winthrop, Nathaniel Saltonstall, Bartholomew Gidney, Jonathan Ting, John Usher, Dudley Bradstreet, John Hincks, Francis Champernoun, Edward Ting, John Fitzwinthrop, and Edward Randolph, Council. President may appoint any member of Council his deputy. Any seven members of Council may hold pleas in all cases as well as in pleas of the Crown. President and Council may give military Commissions. [*Col. Entry Bk., Vol. LXI., pp.* 252-258.]

Sept. **385.** Proposals offered by Importers of Virginian tobacco to the Commissioners of Customs. In consideration of our difficulties we ask (1) that you will dispense us from the prohibition to deliver tobacco to any retailer till duty be paid, and (2) will take our bonds for the said duty at three-six months, (3) making us an allowance for waste, (4) allowing us some discount to encourage our buyers to pay ready money, and (5) extending the time from importation to export to twelve months. *Signed,* Tho. Ellis, Micaiah Perry, George Richards, Jeff. Jeffreys, Robt. Bristow, Tho. Law, Tho. Starke, Sam. Deane, John Thornbush, James Cary. 1 *p.* [*Col. Papers, Vol. LVI., No.* 66.]

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Sept. 28.
Custom House.

386. Commissioners of Customs to [the Lord Treasurer?]. We have considered the proposal of Mr. Jeffreys and several other merchants, importers of Virginian tobacco. We think it will be for the ease and comfort of merchants to let them fix bond for three-six months for the whole in lieu of ready money with ten per cent. rebate, granting them also the four per cent. rebate for waste. We think that the time of exportation for the buyer may be extended from four to twelve months, and that merchants may be permitted to take up their bonds as their circumstances admit, by discounting the time left unexpired. *Signed*, Ch. Cheyne, J. Buckworth, W. Dickinson, T. Chudleigh, N. Butler, Jo. Werden, D. North. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 67, *and Col. Entry Bk., Vol. LXXXIII., pp.* 104-107.]

Sept. 30.
New York.

387. Governor Dongan to the King. I could not but observe, on inspecting former proceedings in this province, the tottering condition to which it was reduced by the malpractices of those who were entrusted to receive the revenue, had not the present bearer upheld it by supplying the garrisons. I think it my duty to report this on his behalf. The accounts having been surveyed and passed, the sum coming to him appears to be 3,533*l.* 15*s.* 8*d.*, the greater part whereof was advanced by his reputation with the inhabitants, many of whom remain unpaid. *Signed*, Tho. Dongan. 1 *p.* [*Col. Papers, Vol. LVI., No.* 68.]

Sept. 30.

388. Minutes of Council of St. Christopher's. Proceedings of a Court of Admiralty against the ships Rose of Boston and Laurel of New Haven. Proposed by the Assembly that all officers, civil and military, give an account upon oath of their slaves. Order for hire of a gunner for the fort at Cleverly Point. [*Col. Entry Bk., Vol. XLVIII., pp.* 43-53.]

Sept. 30.

389. Minutes of Council of Barbados. On receipt of letters from Whitehall, the Lieutenant-Governor summoned the Council. Colonel Codrington was sent for, and asked whether he had paid to Sir Richard Dutton the 2,000*l.* voted by the Assembly. He answered that he had paid 1,000*l.* by bills of exchange and the rest in money; but Sir Richard Dutton had lent him 1,000*l.*, for which he had given him his bond. Order for the Assembly to be summoned on 5th October. The 18th October appointed as a day of thanksgiving for the defeat of the rebels in England. Adjourned to 5 October. [*Col. Entry Bk., Vol. XI., pp.* 653-656.]

Oct. 1.
Custom House.

390. Commissioners of Customs to [the Lord Treasurer]. The intention of our report of 28 September (*see No.* 386) was, that instead of the method prescribed, each merchant should be allowed either to receive rebate of ten per cent. for ready money, or to give absolute bond for the payment of the money at three-six months. The errors to which you call attention were due to our copying clerk, for which we apologise. *Signed*, J. Buckworth, D. North, Jo. Werden, N. Butler, W. Dickinson, T. Chudleigh. 1½ *pp.* *Endorsed.* Read 3 June 1686. [*Col. Papers, Vol. LVI., No.* 69, *and Col. Entry Bk., Vol. LXXXIII., pp.* 107-109.]

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Oct. 1. **391.** Warrant of Lords Proprietors of Carolina for a grant of 1,000 acres to Andrew Perceval. *Signed,* Craven, P. Colleton, S. Sothell. [*Col. Entry Bk., Vol. XXII., p.* 71.]

Oct. 3. **392.** Journal of Assembly of Virginia. The Assembly was summoned to the Council Chamber, where a message was read from the Governor proroguing the Burgesses until the 2nd of November. [*Col. Entry Bk., Vol. LXXXV., p.* 267.]

Oct. 5. **393.** Minutes of Council of Barbados. The King's letter of 26 June (*see No.* 253) read. The Lieutenant-Governor desired to thank His Majesty and congratulate him on the defeat of the rebels, also to answer the matters contained therein. The 13th of October, being the King's birthday, appointed to be celebrated as a day of joy and thanksgiving. [*Col. Entry Bk., Vol. XI., pp.* 656-657.]

Oct. 5. **394.** Journal of Assembly of Barbados. The King's letter of 26 June, on the additional duty on sugar, read. Resolved that the Speaker pray the Lieutenant-Governor to congratulate the King on his victory over the rebels. [*Col. Entry Bk., Vol. XIV., pp.* 135-137, *and pp.* 141-143.]

Oct. 6. **395.** Minutes of a Palatine Court held at Charlestown, Carolina. Protest of Robert Quarry against the appointment of Bernard Schenking as High Sheriff of Berkeley County, as a person notoriously evil and infamous, who was ejected from the Grand Council for drunkenness and scandalous behaviour, and fined by the Sheriff's Court. [*Col. Entry Bk., Vol. XXI., pp.* 147-148.]

Oct. 8. **396.** Governor Cony to the Earl of Sunderland. Since Captain Phips's departure, I have written to you by several opportunities, but greatly fear that my letters have not reached you, for I was obliged to entrust them to inhabitants of this country to Barbados, Jamaica, and New England, and though I used all imaginable care, yet I find that my letters have miscarried. This country has long stood in a tottering condition, and is now nearly fallen to ruin by the designs of the discontented party. William Righton, Samuel Trott, Richard Stafford, William Peniston, Anthony White, and others are so enraged that the King has not left the country to my government, that they slight his late Majesty's commission and deny my power. They say that there is no Governor, and therefore no law; so every man may do as he pleaseth. My warrants are disobeyed, prisoners break out of prison in mere contempt, drums are beaten by Anthony White to summon the people to draw up articles against me, and when assembled Richard Stafford tells them that there are two men, either of whom would govern the country without putting it to a penny of charge. The great number, however, did not approve of his proposition, well knowing that he aimed at the government himself, and had done so many years, so was not to be trusted. Next they fell to drawing up the enclosed articles against me, and, this done, their next business was to get signatures, for many of the Assembly deserted them when they saw the articles. Then Samuel Trott and Joseph Milbourn (brother to the fifth-monarchist Milbourn) rode about the country to get signatures, saying only that it was something for the good of the country, and, according to their custom against the late Company, they quickly got hands enough, saying, "Surely the King will credit so many hands before our Governor. We know he loves a Bermudian in his heart, as witness his breaking of the Company." The next step was to raise money to send Samuel Trott and William Peniston to England with these articles, and to ask for a new Governor, they being confident that Mr. Burghill and Mr. John Tucker would assist them, and that their arrears to Mr. Burghill would be paid. Having found numbers of signatures to the articles, they doubted not of subscribers to raise this money. The sum demanded was 500*l*., which being thought too much, they asked Samuel Trott to accept less, which he was willing to do rather than that the good cause should fail, though he told them fairly that he would not abate a grant of 300*l*., as he could not put himself in any equipage to appear at Court for less, being obliged to have a new suit every day. On the day appointed for receiving the 300*l*., the company met and fell at variance among themselves; some disputed Trott's honesty if trusted with such a sum, others affirmed that what he wanted in honesty he would make up in industry, for he was known to them for years as an active person. Finally they decided to send him without Peniston. They had subscribed five pounds a man, but when it came to a deposit of the money they fell from five pounds to five shillings a man. Whereupon one of them said he would not subscribe a farthing to such an idle errand, and every man departed to his house for further consideration. Afterwards Richard Stafford, finding the liberal subscribers grow cold when it came to a matter of money, told them generously that he would take the expense upon himself, for he knew that for twenty pounds Mr. John Tucker would not only deliver their petition and articles, but also endeavour to procure them a new Governor. He freely proffered five shillings to the Secretary to write a fair copy of the articles and subscribe to them. He replied that he had already refused to do as much for Trott and Peniston, and would not meddle further than concerned him. These articles they never shewed me, for my defence, so that the enclosed copy was procured for me by a friend. I hope to reply to them all by the magazine-ship, though I fear that they may not load her, out of malice to the late Company and unwillingness to pay their debts, and that they may find freight for their tobacco otherwise, in order to defraud the King's Customs, as is their frequent habit. By the judgment of several persons, at least 100,000 lbs. weight has been transported to Barbados and elsewhere. This is their old trade, and they do not like to be obstructed in it. Every officer that appears on the side of the Government is threatened, and stands in danger of his life. The King's slaves under my command are frequently beaten. Of the twelve Councillors chosen by me since the late King's Commission, but four have any regard for the royal interest, and those four are afraid to speak their minds or to be seen with me on any public business; nor can they advise me what others to choose. Captains Keele and Bascom, who command the two forts, for which they receive each two shares of land, refuse my commission, and tell me they will command them by the late King's Commission. They do not attend to their duty, nor ever have; they live fifteen miles from the forts, seldom visiting them, but drawing the profit. The result is that ships pass in between the two forts at all hours of the night, and anchor within a stone's throw of my chamber window. We therefore lie easily open to such a surprise as that of Providence last year. Keele and Bascom were of the Council, and tell me to my face that they will be of the Council, and have as much right to be so as myself. Another of the Council, one Lee, and, indeed, all the Council except four, are leagued with these malcontents. If I ask the Council about the royal slaves and the Crown lands they will not endure to hear it, for most of the slaves and Crown lands lie concealed in the Council's and country's hands, and the whole country is too near of kin to prejudice their dear friends by declaring truth in the King's interests. They tell me I must first take an oath, but what oath I know not. Many of them have refused the oaths of allegiance and supremacy.

About ten days since I imprisoned a constable, duly elected by the parish, for refusing to do his duty or serve longer, and for comparing Justice Tucker to a hog and a negro. Several of the country came down to the prison and carried him off. When any of the King's subjects turn to this Island they are greatly insulted and abused. The people endeavour to seduce their men from them for their own voyages, and to disenable the others. Mr. Bond and Mr. Vaughan are much disgusted that the land allowed to each of them by the Company has been taken from them, as also the 40*l*. a year formerly granted to them. These two Ministers do ill offices in the country. Bond declares his bond to be void at the late King's death. Vaughan, at my first arrival, declared himself of the Church of England, and said that he had gone to England on purpose to take orders, but Bond overruled him, and now both are enemies to the Church of England and to the Government, which gives the Quakers occasion to call them hirelings. The Deputy-Sheriff, Captain Hubbard, takes upon himself to dispose of those lands how and to whom he pleases, nay, even to dispossess old tenants whom I had lately placed thereon, with good security for the rent; and this in spite of the King's orders to me. He says he will do it, by virtue of his commission. He acts really under the advice of Stafford and his son-in-law, Vaughan, without whom he will do nothing. As he is Provost-Marshal, I direct my warrants to him, but he puts them aside and sends his own warrants, even to command the justice and others to appear before him. He likewise takes upon him to be Treasurer, giving positive orders for the public money to be paid to him, while for former money collected in the company's time he would never account, to the great disgust of the inhabitants. He kept the ready money for himself, and put off the soldiers in the Castle with his own unsaleable tobacco at his own rates. Contingent expenses are still unpaid, so that no man will stir about any public business if ordered to receive his pay from the Sheriff. Since my arrival I have spent nearly twenty pounds, ready money, in mounting guns and repairing the forts, yet much repair is still needed, for they have been neglected for years, and would have been in ruins but for me. What I have done is far short of what

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I should have done had the country not opposed me. Bysshe and Trott declared it treason for any man to assist me, though it was all out of my own purse, and no tax was laid on the country. I hope the King will see me reimbursed, for I know the country will not. They say openly that those who employ me may reimburse me, for the country wants no guns, being fortified by rocks, and that God has preserved it fourscore years. Still I thought it right to provide defence against surprise, though I am in great want of ammunition. There is not a penny stock to buy, nor likely to be at the rate the country drives at. I wish the King would send over some able lawyer to sit as judge, and two more to plead the country's causes; they would do great service. Small arms are very scarce. The Company furnished them sufficiently, but the people have sold some to other countries, and turned others into pestles to beat their corn. The Militia will not furnish themselves either with arms or ammunition; they say that the King ought to furnish them, as they cannot afford it. Yet these are landed men, rich both in purse and shipping. The private exportation of tobacco could be checked by a royal order forbidding any vessel to load or unload except in St. George's Harbour, which is before my door and under the muzzles of my new-planted guns. In any other place they are out of my sight. The Deputy-Sheriff, Deputy-Secretary, and Deputy-Marshal should be Englishmen, specially sent out from England, such as know their duty and will do it; for the English officers here are one with the inhabitants, having married into their families. I should be glad to know if the King would allow these officers the same proportion of land and slaves as in the Company's time. It would be a means of reducing the people to obedience to take a small quit-rent of every freeholder, according to his holding. The slaves of the King's that I can possibly get into my possession would, if sold, help to pay the Company's debts which the King has taken over. Unless sold I know not of what use they are beyond a few for the Governor and his successors. I have not heard from the late Company. The Secretary's official residence in town is fallen to pieces, and the present Secretary lives near twenty miles away, so that I have often to do his work. The late Secretaries should pay for repairing the house, and not the King, for they have made the office valuable and neglected the house. My own house is falling down. Ever since my arrival myself and family have been obliged to take refuge in a neighbour's house in every storm, and to fly for shelter from room to room in every shower of rain. The public buildings, civil and military, are much out of repair. The County says, let them that own them repair them. Lieutenant Jones, of the King's Castle, and Captain Brangman, of one of the forts, have faithfully adhered to the King's interest throughout, without much awe of the country's insolences. They are of the Council, and have taken their commissions from me, which Keele and Bascom refused. I hope that the King will continue Jones and Brangman. I am much indisposed by colds from living in an uninhabitable house, and my indisposition is increased by the frequent affronts that I receive from the Deputy-Sheriff and others. *Signed*, Richd. Cony. *Holograph.* 5½ *very closely written pages.* *Endorsed.* Recd. 2 Dec. 85. [*Col. Papers, Vol. LVI., No.* 70.]

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Oct. 8. **397.** The same to Lords of Trade and Plantations. Practically a duplicate of the foregoing. 5½ *pp.* *Endorsed.* Recd. 1 Dec. 85. [*Col. Papers, Vol. LVI., No.* 71, *and Col. Entry Bk., Vol. XVII., pp.* 167-182.]

Oct. 8. **398.** Abstract of the two foregoing letters. 3 *pp.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 72.]

Oct. 8. **399.** A collection of documents enclosed in the two foregoing letters.

399. I. Deputy-Sheriff John Hubbard to Governor Cony. September 5, 1685. "I desire you not to contradict my letting of Longboard Island to young Stringer." Half a page more in the same strain. *Below.* Order of John Hubbard to a searcher to sell all confiscated tobacco for the benefit of the country. *Dated* June 3, 1685. Further small evidences of Hubbard's misbehaviour. *The whole.* 1½ *pp.* *Endorsed.* Recd. 2 Dec. 1685.

399. II. Duplicate of foregoing.

399. III. Original of the order to the searcher abstracted in No. 399 I. *Scrap.* *Endorsed.* Recd. 2 Mar. 85-6.

399. IV. Attestation of Captain William Phips, Henry Vaughan, and John Bee, that they heard William Keele say that he would keep Smith's fort, and not give up his commission. Taken 3 June 1685. *Scrap.* *Endorsed.* 1 Dec. 85.

399. V. William Keele to Governor Cony. "These are to desire you to send some power and mash [powder and match] for there is not two shouls of powder and no mash at all to defende the forts withall, which is all from your servant to his power, Wm. Keele, Commander of Smith's Fort." *Dated* 27 July. *Certified copy.* *Scrap.* *Endorsed.*

399. VI. Copy of the articles of the inhabitants of Bermuda against Governor Cony. (1.) Taking new fees. (2.) Seizing slaves and goods by arbitrary authority. (3.) Obstructing trade and navigation, imprisoning during pleasure and refusing bail. (4.) Bringing vexatious actions, and demanding great sums by them. (5.) Affirming that if the government fall into the King's hands, a share of land will not be worth a pair of shoes. (6.) On rumour of war with the Dutch, wasting unprecedented powder. (7.) Imposing oaths on officers while refusing to take them himself. (8.) Rejecting advice of the Council, and making laws without them. (9.) Compelling miserable, poor people to do unnecessary labour without wages. 1 *p.* *In Governor Cony's hand.* *Endorsed.* Recd. 1 Dec. 85. [*Col. Papers, Vol. LVI., Nos.* 73 I.-VI.]

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Oct. 8. **400.** Journal of Lords of Trade and Plantations. Sir John Witham's case against Sir Richard Dutton and Henry Walrond was heard, all three being present. Sir Richard was directed to answer Sir J. Witham's petition on the 15th inst. Sir Richard owned that he had received money from the Assembly, in spite of the King's instructions, and that he had not communicated that instruction to the Council. Mr. Walrond said that he did not remember the communication of any of the late King's instructions to the Council.

The case of Lord Baltimore and Mr. Penn was heard, and adjourned to the 15th.

Draft of a circular concerning transported rebels approved (*see No.* 404).

Mr. Stede's letter of 21 July read, and Colonel Dongan's of 11 August (*see Nos.* 290, 315).

Memorandum of letters received and despatched. [*Col. Entry Bk., Vol. CVIII., pp.* 197-201.]

Oct. 8. Westminster. **401.** Commission from King James to Lord Howard of Effingham to be Governor of Virginia. *Approved,* 3 August 1685. [*Col. Entry Bk., Vol. LXXXIII., pp.* 1-19.]

Oct. 8. **402.** A receipt for a hundred prisoners attainted of high treason, from Dorchester and Taunton, to be transported to Jamaica or America. *Signed,* Chris. Musgrave. 1 *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 74.]

Oct. 9. **403.** Similar receipt for twenty prisoners from Taunton and Wells. *Signed,* Thomas Heywood. 1½ *pp. Endorsed.* [*Col. Papers, Vol. LVI., No.* 75.]

Oct. 11. **404.** Circular. The King to the Governors of Plantations. Having shewn mercy to some of the late rebels by ordering them to be transported to the Plantations, we hereby instruct you that those sent to Jamaica shall be kept there, and shall serve their masters for ten years, without permission to redeem themselves by money or otherwise till that term be expired. You will frame and propose a Bill to the Council and Assembly for the purpose. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XCVII., pp.* 172-174. To Jamaica, *Col. Entry Bk., Vol. XXXI., pp.* 84-85. To Virginia, *Vol. LXXXIII., pp.* 63-64. To Leeward Islands, *Vol. XLVII., pp.* 188-189.]

Oct. 12. **405.** Minutes of Council of Virginia. Proclamation of a day of thanksgiving for the King's deliverance and victory over his enemies. Proclamation against false and seditious rumours. [*Col. Entry Bk., Vol. LXXXIV., pp.* 217-220.]

Oct. 13. **406.** Commission of Oyer and Terminer for the Plantation of Virginia. *Copy. Latin.* 2 *pp.* [*Col. Papers, Vol. LVI., No.* 76.]

Oct. 15. **407.** Articles submitted against Governor Cony by Henry Bysshe. *Four large closely-written pages, in Bysshe's handwriting. Endorsed.* Recd. Oct. 1685. The abstract (*see No.* 409) gives this the date of 27 Sept. [*Col. Papers, Vol. LVI., No.* 77.]

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Oct. 15. **408.** Governor Cony's answers to the charges of Henry Bysshe. 5½ *large closely-written pages. Endorsed.* Recd. 15 October 1685. [*Col. Papers, Vol. LVI., No.* 78.]

Oct. 15. **409.** Abstract of the two foregoing papers. In addition to the charges in No. 399 vi. are accusations of levying money by warrant before receipt of the King's Commission, assuming the title of Excellency, imprisoning men who helped to salve the French wrecked ship, discouraging the old cavaliers and favouring those that fought against the King, assuming ecclesiastical jurisdiction, etc. *Arranged in parallel pages of charge and answer.* 6 *pp.* [*Col. Papers, Vol. LVI., No.* 79.]

Oct. 16 Bermuda. **410.** Protest of Richard Philips against James Smayles, master of the ship Bachelor's Adventure. 2½ *pp. Endorsed.* Recd. 10 May 85-6. [*Col. Papers, Vol. LVI., No.* 80.]

Oct. 16. Whitehall. **411.** Order of the King in Council. That a copy of William Dyre's letter (*see No.* 261) be sent to Attorney-General Sir Robert Sawyer, who shall consider thereof and cause a *quo warranto* to be brought against the Corporation of East New Jersey, for the abuses therein complained of. *Copy.* ½ *p.* [*Col. Papers, Vol. LVI., No.* 81.]

Oct. 17. **412.** Journal of Lords of Trade and Plantations. Mr. Stede's letters of 13th and 18th July read (*see No.* 288). Sir John Witham's appeal against Sir Richard Dutton and Henry Walrond. Sir Richard's answer was read, and a copy ordered to be given to Sir John Witham.

Petition of Richard Young and Samuel Hanson read (*see No.* 415) and referred to the Lord Treasurer.

Lord Baltimore and Mr. Penn were called in. Lord Baltimore declares that he cannot find the original of a document of 1638 bearing on the dispute, of which he had undertaken to furnish an authentic copy. The Lords agreed that the tract of land in dispute did not belong to Lord Baltimore, but adjudged the land called Delaware to the King. They will however meet again to settle the boundaries between Lord Baltimore and the King.

Mr. Randolph presented a memorial for flags (*see No.* 417).

Memorandum of letters received and despatched. [*Col. Entry Bk., Vol. CVIII., pp.* 202-209.]

[Oct. 17.] **413.** Sir Richard Dutton's reply to the petition and appeal of Sir John Witham. I know nothing as to Sir John's statement that he has received a commission from the King as Lieutenant-Governor, whereby he is entitled to half of my salary during my absence, but have every reason to believe the contrary, and that he was Governor only by my deputation. I conceive therefore that Sir John had no authority to demand the half salary; but this I submit to His Majesty. I utterly repudiate so foul a scandal as that I courted or received a bribe, or that I made any overture to Sir John for the assignment of any salary or perquisite; on the contrary, I refused with disdain the promise of a considerable reward to interpose between Sir John's faults and the penalty that

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awaited them. The suspension and trial of Sir John were not the result of any particular conceived displeasure in me, but of frequent and loud complaints of oppression against him. Nor would I desert the Deputy whom I had appointed until all classes, from the Council to the labouring man, complained of his insolence and oppression. Sir John haughtily threatened the Council, abridged their freedom of debate, privately altered their judgments and decrees, took false titles of authority, and arbitrarily erected Courts without consent of Council or Royal command, merely for his own personal concernment. He threatened to hang a member of Council by Court-Martial in time of peace, and that in a public house. Ships' captains complained that goods brought to the Deputy-Governor for sale were withheld on frivolous pretexts. I was daily vexed with petitions from men who had been arbitrarily imprisoned for no crime until they were forced to sign discharges of his debts; and suitors complained that their papers had been taken from them. Sir John, as a lawyer, gave legal advice in cases triable before himself; he appeared in the Court of Common Pleas when his own cases were trying, overawing the counsel and obtaining precipitated judgments; he subscribed the names of the Council, without their privity, to an unjustifiable bill of costs; he made solemn bargains with indentured servants of others to give them their freedom at a certain price; he imprisoned the King's Collectors for attempting to examine his sugar-cask, in the execution of their duty; he discouraged honest merchants and protected a foreign trade. When all these things were proved to me, I yielded to the pressing solicitations for his trial. Colonel Henry Walrond was not appointed purposely, as is insinuated, but in ordinary course, nor did I specially appoint an Attorney-General, for there has been one for many years; but I left the entire management of the Sessions untouched, except that I directed the counsel at bar not to forget Sir John's quality and rank in the Government, which they did not. The whole proceedings of the Sessions were held as usual, and there was nothing extraordinary in them. After one enlargement of the commission the prosecution was closed, and the whole Island, with one voice, thanked me for bringing Sir John to trial. I am ready to prove my allegations and submit myself to His Majesty and my Lords. *Signed*, Ri. Dutton. 6¼ *large sheets. Endorsed.* Recd. 17 October. Read same day. [*Col. Papers, Vol. LVI., No.* 82, *and Col. Entry Bk., Vol. VII., pp.* 315-319.]

[Oct. 17.] **414.** Answer of Henry Walrond to the petition and appeal of Sir John Witham. The allegation of Sir John that he was required to plead immediately and come to trial is untrue, as the records of the Court will shew. The plea of abatement against the legality of the Court's proceedings was rejected as absurd, and not entered on record. The complainant was not compelled to plead not guilty contrary to law, but made choice of that plea in manner and form. No rigour or violence was used in the prosecution, nor was ridicule made of his defence, but the complainant himself, before he left the bar, acknowledged the justness and fairness of the proceedings. I apprehend that the Court of Sessions could not refuse to take the evidence of such members of Council as could bear testimony to the

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indictment. It is alleged that no notice was taken of the appeal to the King. The notice was verbal, and the very first of the kind ever made in the Island, so far as I know, but all respect was paid to it, and solemn answer made, as the records will show. As to Mrs. Gough's evidence, I do not think that the Court could justly refuse it, nor that she is unfit to be received in point of evidence. *Signed*, Henry Walrond. *Holograph.* 1½ *large sheets. Endorsed.* Recd. and read 17 October 1685. [*Col. Papers, Vol. LVI., No.* 83, *and Col. Entry Bk., Vol. VII., pp.* 320-322.]

[Oct. 17.] **415.** Petition of Captain Richard Young and Samuel Hanson, to the King and Lords of Trade. Young appealed to Your Majesty in Council against three judgments against him in Barbados, which have since been levied on Hanson's estate. We waited till Sir Richard Dutton should arrive in England, and now beg for a hearing. List of witnesses to be called. 1 *p. Inscribed.* Recd. 17 Oct. 85. [*Col. Papers, Vol. LVI., No.* 84.]

[Oct. 17.] **416.** A collection of papers relating to the dispute between Lord Baltimore and William Penn over the boundaries of the two Colonies and the right to the Delaware.

416. I. Extract from the grant of Delaware by King Charles II. to James, Duke of York. The grant contains the words, "Backward into the woods three Indian days or thirty Dutch miles." 1 *p.*

416. II. Duplicate of foregoing.

416. III. Extract from the grant of the town of Newcastle to James, Duke of York. 1 *p.*

416. IV. Duplicate of foregoing.

416. V. Extract from a fresh grant of the town of Newcastle to same, giving him a radius of twelve miles from the town. 1½ *pp. Endorsed.* First boundaries of Newcastle.

416. VI. Boundaries of Pennsylvania, granted to William Penn, 4 March 1680-81. 1 *p. Copies.* [*Col. Papers, Vol. LVI., Nos.* 85 I.-VI.]

[Oct. 17.] **417** Petition of Edward Randolph to Lords of Trade and Plantations. For two flags apiece for the forts at Boston, Piscataqua. Salem, and Charlestown. *Copy.* 1 *p. Endorsed.* Recd. 17 Oct. 1685. [*Col. Papers, Vol. LVI., No.* 86, *and Col. Entry Bk., Vol. LXI., p.* 258.]

Oct. 17. **418.** William Blathwayt to Sir William Stapleton. Enquiring the names of the rebels delivered to him for transportation, and their destination. [*Col. Entry Bk., Vol. XLVII., p.* 189.]

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Oct. 17.
Barbados.

419. Deputy-Governor Stede to Lords of Trade and Plantations. I have received the King's gracious letter of 26 June (*see No.* 253), signifying his intention that the additional duty on sugar should fall, not on the planter, but on the first buyer in England. It is found, however, by experience of sales, both here and in England, that the duty falls on the planter, and will continue to do so unless, by your great wisdom, some means be found to moderate it. Whatever the King may determine the people will cheerfully submit to, but it is certain that they are for the most part greatly in debt, and under great affliction by the loss of this year's crop, through ill weather, and by the mortality among negroes and servants through small-pox, which still continues very violent. I have communicated your report of 20 June (*see No.* 273), on the four-and-a-half per cent. duty to the Assembly, who, for the generality, cheerfully submitted to the King's pleasure. Doubtless but for the unusual accidents of this year, that duty would have been worth nine or ten thousand pounds. I hope this and all succeeding years will clear eight thousand. Had the King accepted the proposed rent, the manner of raising it would have bred great distraction, it being very unequally proportioned among the inhabitants, owing to hasty preparation. Sir Richard Dutton speeded the proposal to you before we had any exact knowledge of the revenue arising from the duty, in the hope that the King might be surprised into granting it, which would have been no small profit to Sir Richard, who has received five hundred pounds for soliciting the affair, which he never doubted to obtain. I have also read yours of the 20th June (*see No.* 245) to Sir Richard Dutton. I find that he has received two thousand pounds, as well as the five hundred pounds lately given to him, though he had received the King's first and second orders before he accepted the latter sums. Had the Assembly been aware of the King's order, they would, I presume, have taken care to obey it, nor would they have been so forward to give five hundred pounds to Colonel Henry Walrond before he left this for England. Believing that there may be some secret contrivance between Sir Richard Dutton and Colonel Codrington as to the two thousand pounds, I send you a copy of the receipt produced by Codrington to the Committee of Public Accounts, and a certificate from the Clerk of the Committee as to the manner in which the accounts were passed. You will see that Sir R. Dutton's receipt for the last thousand pounds bears date February last, whereas in the Treasurer's account it is charged to be paid the 1st of June. This looks like some deceit; moreover, the Treasurer has told me that he owes Sir Richard a thousand pounds, for which he has given him his bond. *Holograph.* 3½ *pp. Endorsed.* Recd. 11 Dec. 1685. Read 30th. [*Col. Papers, Vol. LVI., No.* 87, *and Col. Entry Bk., Vol. VII., pp.* 341-343.]

Oct. 19.
Scotland Yard.

420. Sir Philip Howard to William Blathwayt. I have not yet received a list of the rebels' names from my agents employed to ship them at Weymouth. Of the two hundred given me by the King, the gaolers delivered three short of the number, while thirty more escaped before reaching port. Of those that came to Weymouth, one hundred were immediately embarked for Jamaica. Of the remain-

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ing sixty-seven, many were sick, and some were brought by cart; but by this time I expect all are embarked for Jamaica. *Signed*, P. Howard. *Holograph.* 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 88.]

Oct. 20. **421.** Circular. William Blathwayt to the Governors of Plantations. I send the King's letter respecting transported rebels (*see No.* 404). A list of those consigned to you is enclosed. You will return certificates of their arrival and disposal. [*Col. Entry Bk., Vol. XCVII., p.* 174. To Jamaica, *Col. Entry Bk., Vol. XXXI., p.* 86.]

Oct. 20. London. **422.** Sir William Stapleton to William Blathwayt. I enclose the names of the rebels sent to Nevis and St. Christopher's, but whether they will be sent to both Islands or Nevis only I am not sure. *Holograph.* ½ *p.* *Endorsed.* *Annexed,*

422. I. A list of one hundred rebels received by Sir William Stapleton, as agent to Charles Pym, and shipped by him to Nevis and St. Christopher's. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 89, *and* (*letter only*) *Col. Entry Bk., Vol. XLVII., p.* 189.]

Oct. 20. **423.** Journal of Assembly of Nevis. The Assembly was dissolved without any proposals made. [*Col. Papers, Vol. LVI., No.* 43.]

Oct. 24. Scotland Yard. **424.** Sir Philip Howard to William Blathwayt. I enclose the list of the rebels given to me by the King. Three of the missing men escaped from the gaol at Sherborne, thirty escaped during the journey, and one was reprieved by the Lord Chancellor. *Signed*, P. Howard. *Holograph.* *Endorsed.* Recd. 25 Oct. 85. *Annexed,*

424. I. "A list of the names of two hundred Western rebels," with asterisks shewing those which had escaped. 2 *pp.* *Endorsed.* Recd. 25 Oct. 85. [*Col. Papers, Vol. LVI., Nos.* 90, 90 I.]

Oct. 25. **425.** The King to the President and Council of New England. Authorising the use of the seal of the late Governor of Massachusetts for the official seal of New England until further order. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXI., p.* 259.]

Oct. 26. **426.** Warrant of the King for the suspension of the sentence on George Talbot, if he be found guilty, till the Royal pleasure be known. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXXXIII., pp.* 85-86.]

Oct. 26. **427.** Deposition of Mrs. Boteler Chamberlain. To the effect that Sir Richard Dutton had intercepted Sir John Witham's letters; and that Sir John Witham had strictly forbidden Lady Witham to accept presents. Sworn before Miles Cooke. *Copy.* 2½ *pp.* [*Col. Papers, Vol. LVI., No.* 91.]

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Oct. 26. **428.** Deposition of the same. To the effect that she heard Sir John Witham say that Sir R. Dutton tried to persuade him to give up his half-salary, but that he saw no reason for it; that Lady Witham had tried in vain to persuade Sir R. Dutton to allow Sir John counsel; that Lady Witham asked Sir R. Dutton to change Sir John's place of imprisonment, which was very noisome and unwholesome, when Sir Richard not only refused, but told her in a passion that Sir John might thank God he had not cut off his head for calling himself Lieutenant-Governor. Lady Witham said that the title was given him in a Privy Seal, but Sir Richard said that it was a dash from the pen of a silly clerk, and that the Secretaries took money to deceive the King. 3½ *pp.* [*Col. Papers, Vol. LVI., No.* 92.]

[Oct. 27.] **429.** The replication of Sir John Witham to the answers of Sir Richard Dutton (*see No.* 413). Sir Richard is under a mistake in his construction of the late King's order of 10 December 1682, appointing me Lieutenant-Governor of Barbados during the absence of the Chief Governor, with half salary and perquisites. The matter has been made clear by the letter of the Lords of Trade of 22 December 1682. The assumption of the title of Lieutenant-Governor was no great crime, since the late King styled me so in a Privy Seal of 30 July 1684. As to the suggestion that I should make overtures to Sir Richard, I was so sick that the physician thought I could not go into Court without risk of my life, and told Sir Richard so, but he would not hearken. For this reason and no other I offered to make a present of one hundred pieces to his eldest daughter if he would defer my appearance till I was recovered, but he only became the more violent. Sir Richard and Colonel Henry Walrond have omitted to answer the most material matter in my appeal. Sir Richard follows the same methods as in Barbados, not doubting that if he threw dirt enough some of it will stick. His answer contains many untruths. Everyone applauded my diligence and uprightness in my office (except one) until Sir Richard's return, when he encouraged everyone to revile me, I being then on my sick bed. It is impossible to hold such an office as that of Governor without making enemies. As to the charge that I threatened a gentleman with a Court-Martial, Sir Richard has forgotten or wilfully mistaken what was said to him. The gentleman in question had consumed without orders and wasted certain stores of ammunition entrusted to him, and I warned him that there was an Act of Parliament which made such conduct in certain cases felony. The informer, who told Sir Richard this, is in ill repute for his profane language; but Sir Richard, rather than prosecute him, displaced an eminent magistrate who brought the fact to his knowledge. As to the other allegations, they are not only new but vague and untrue. When they are particularly stated I shall be prepared to answer them. I beg leave to submit my new charges against Sir Richard of maladministration and disobedience to the royal orders and instructions: depriving divers peaceable subjects of their lands without trial, imprisoning others without cause known, threatening others with opprobrious language, sitting judge in matters where part of the condemnation was for himself, and taking what had been

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adjudged to the King for himself, as well as the fees of the officers. He delayed and hindered the prosecution of a judge who had spoken dangerous words of the King, and continued him in his place till his death. I can prove these matters, and beg for a speedy hearing. *Signed*, Jno. Witham. 6½ *pp. Inscribed and endorsed.* Read 27 Oct. 85. [*Col. Papers, Vol. LVI., No.* 93, *and Col. Entry Bk., Vol. VII., pp.* 322-326.]

Oct. 27. **430.** Journal of Lords of Trade and Plantations. Sir John Witham's replication read (*see preceding abstract*). The whole matter to be heard on the 31st.

Colonel Cony's agent and Mr. Bysshe attended. The Lords agreed to recommend that another Governor be sent to Bermuda.

The accounts of this quarter attested, to be paid by the Lord Treasurer.

Memorandum of letters despatched. [*Col. Entry Bk., Vol. CVIII., pp.* 209-211.]

Oct. 28. **431.** Petition of the inhabitants of Rhode Island to the Governor, Assistants, and Deputies. To appoint commissioners or otherwise to encourage families who desire to settle in the Narragansett Country. *Signed*, Wm. Hopkins, John Warner, James Greene, junior, Henry Lilly. *Below*, a minute that the petition was granted. *Copy.* 1½ *pp. Endorsed.* Read 1 Feb. 85-6. [*Col. Papers, Vol. LVI., No.* 94.]

Oct. 28. **432.** Extract from Minutes of Assembly of Rhode Island. On the petition of William Hopkins and others (*see preceding abstract*), ordered that a Committee consider thereof. Report of the Committee recommending that the petition be granted. 1½ *pp. Endorsed.* Read 17 June 86. [*Col. Papers, Vol. LVI., No.* 95.]

[Oct. 28.] **433.** Commission to Sir Philip Howard to be Governor of Jamaica. This includes a clause conferring powers of Vice-Admiralty subject to instructions, but forbidding any jurisdiction over officers or men of the King's ships for offences committed on the sea or in harbour. Officers refusing to obey written orders may however be suspended. [*Col. Entry Book, Vol. XXX., pp.* 300-316.]

Oct. 30. **434.** Lords of Trade and Plantations to the President and Council of New England. Recommending Robert Ratcliffe, a minister chosen by the Bishop of London, to their good offices. *Signed*, Jeffreys, Mulgrave, Berkeley, Rochester, Sunderland, Middleton, Clarendon, Craven, Preston, John Nicholas. [*Col. Entry Bk., Vol. LXI., p.* 259.]

Oct. 30. **435.** The same to the same. Requiring a report on the state of New England, as to its obedience to the Acts of Trade, and general information. *Signed as the foregoing, with the omission of Lord Middleton and the addition of* Sir J. Ernle. [*Col. Entry Bk., Vol. LXI., pp.* 260-261.]

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436. Heads of Enquiry addressed to the President and Council of New England. Twenty-five clauses, the heads being of the usual kind. [*Col. Entry Bk., Vol. LXI., pp.* 261-263.]

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437. Lords of Trade and Plantations to President and Council of New England. Ordering transmission of the usual returns and information as to trade, public business, etc. [*Ibid., pp.* 264-265.]

Oct. 31.

438. The same to the Secretary of New England. Ordering transmission of quarterly returns, etc. [*Ibid., p.* 265.]

Oct. 31.
Council Chamber.

439. Lords of Trade and Plantations to the King. We have examined the case of Sir John Witham on one side and Sir Richard Dutton and Mr. Henry Walrond on the other. We find that in spite of the Royal orders, Sir Richard was unwilling that Sir John should receive the half salary, and gave him to understand that, unless he resigned it, it would be the worse for him. Sir John refusing, Sir Richard suspended him from the Council. Then came the trial before Grand Sessions. We find that Sir Richard did force Sir John to come into court, on pain of forfeiting his recognizances, though he could not do so without endangering his life. Three indictments were preferred against him on matters for which Sir John was accountable to Your Majesty and to no other person whatever. The first indictment was that he had undertaken the government without taking the oaths; which Sir Richard should have administered to him before he left the Colony. Sir John has proved to us that he was refused copies of this and of the other indictments, and that his plea taking exception to the jurisdiction of the Court was rejected. Of the second charge, of assuming the title of Lieutenant-Governor, Sir John has acquitted himself, proving that he was so styled by the King and by this Board. Sir John has also acquitted himself of the third charge, of bribery, and has proved to us that he was refused the liberty of appeal to Your Majesty. We find also that Henry Walrond, a person whom Sir Richard Dutton had shortly before represented as unfit to serve Your Majesty and whom Sir John Witham had dismissed from the post of Lieutenant-General, was made chief Judge for the purpose of the trial. We conclude therefore that the proceedings of Sir Richard Dutton and Henry Walrond are altogether violent and malicious; and we recommend that Sir John Witham be restored to all his dignities, that the fines imposed on him be wholly remitted, and that he may have leave to take his remedy at law against Sir Richard Dutton. *Signed*, Jeffreys C., Rochester, Clarendon, C. P. S., Sunderland, Craven, Middleton. [*Col. Entry Bk., Vol. VII., pp.* 348-352.]

Oct. 31.

440. Journal of Lords of Trade and Plantations. Lord Baltimore and Mr. Penn attended. It was proposed that Delaware should be divided into two equal parts, from East to West, as far as Cape Henlopen, between the King and Lord Baltimore. Lord Baltimore was allowed a week longer to state his objection thereto.

The Lords signed a letter of recommendation in favour of Mr. Ratcliffe, a minister from New England.

The Appeal of Sir John Witham against Sir Richard Dutton heard. The Lords agreed in their report (*see preceding abstract*).

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Memorandum of letters received and despatched. [*Col. Entry Bk., Vol. CVIII., pp.* 211-224.]

Oct. 31. **441.** Receipt for eighty-one prisoners attainted of high treason to be transported to America. *Signed,* Rich. White. List of prisoners' names. 2 *pp. Endorsed.* [*Col. Papers, Vol. LVI., No.* 96.]

Oct. **442.** Memorandum of shipment of two rebel prisoners, John Edwards and Edward Lloyd, to York river, Virginia. *Signed,* John Baker of Hamwood in Somerset. *Scrap. Endorsed. Col. Papers, Vol. LVI., No.* 97.]

Oct. 31. **443.** Journal of Assembly of Nevis. The new members sworn, and Mr. Smargin elected speaker. [*Col. Papers, Vol. LVI., No.* 43.]

Nov. 2. **444.** Journal of Assembly of Virginia. Twenty-three burgesses only being in town, they informed the Governor that they thought they had not authority to adjourn themselves nor to choose a Speaker. The Governor prorogued them until the next day.

Nov. 3. The Assembly attended the Governor in Council and was ordered to choose a Speaker.

Nov. 4. The Speaker having been chosen, the burgesses waited on the Governor in the afternoon, when Colonel William Kendal was approved by him as Speaker. The Governor read a speech, proposing Acts to empower counties and parishes to make by-laws, to change in all clauses relating to forfeitures the words "to be accounted for to the public" to "to be accounted for to His Majesty." He informed them also of the return of Colonel Byrd, having successfully ratified the peace with the Indians; and reproved the peevish temper of those who were discouraged at the additional duty on tobacco. The King's letter of 26 June was read, and the articles of peace ratified by Colonel Byrd.

Nov. 5. At the request of the burgesses the Governor appointed two Councillors to administer the oaths to the lower house.

Nov. 6. The oaths were administered.

Nov. 7. One of the Councillors appointed to administer the oaths, the Governor appointed another. Copies of the Governor's speech and of the King's letter furnished to the house. [*Col. Entry Bk., Vol. LXXXV., pp.* 267-271.]

Nov. 5. **445.** Minutes of Council of Jamaica. The Lieutenant-Governor reported that Captain Davis had returned from pursuit of the rebel negroes, in consequence of bad weather. Ordered, that the following rewards be offered to any that will take or kill those negroes, viz., for the negro Cophy £10, for five others of the chiefest, £5 a head, for any others £2 a head. Any rebel negro discovering his accomplices shall receive a pardon, and if he take and kill them

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not only a pardon, but the rewards aforenamed. Colonel Bourden to announce this to the negroes at Guanaboa; three parties of three files [eighteen men], a sergeant, and an officer, to be employed for one month against the rebels. Order for payment of £20 to Dr. Francis Rookes for curing five persons wounded in the late expedition against the negroes. Order for payment of £500 of salary due to the Governor. [*Col. Entry Bk., Vol. XXXVI., pp.* 102-103.]

Nov. 5. **446.** Receipt of Edward Randolph for papers received by him from the Plantation-office. *Signed*, Ed. Randolph. 1 *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 98, *and Col. Entry Bk., Vol. LXI., p.* 266.]

Nov. 6. **447.** Petition of Henry Walrond to Lords of Trade and Plantations. For rehearing of the case against Sir John Witham, when he believes that he can prove the most material points in the indictments against him. *Inscribed.* Recd. 6 November '83 [error for '85]. *Endorsed.* Recd. 6 Nov. 1685. Read 7 Nov. Nothing done. 1 *p.* [*Col. Papers, Vol. LVI., No.* 99.]

Nov. 7. **448.** Journal of Lords of Trade and Plantations. Petition of Sir Richard Dutton read and rejected *(see next abstract).* Also another petition from Sir Richard (*see No.* 455) praying for pardon.

The business of Lord Baltimore resumed. The Lords agreed upon their report (*see No.* 456).

Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 224-227.]

[Nov. 7.] **449.** Petition of Sir Richard Dutton to Lords of Trade and Plantations. Praying that the interrogatories to Colonel Stede and his answers thereto may not be received as evidence against him, they being contrary to his solemn and voluntary declarations at the Council Board. 1 *p. Endorsed.* Read 7 Nov. 85. Nothing done. [*Col. Papers, Vol. LVI., No.* 100.]

Nov. 9. **450.** Journal of Assembly of Virginia. Some of the burgesses who remained unsworn took the oaths.

Nov. 10. More of the unsworn burgesses were sworn.

Nov. 11. The Governor made a speech, recommending the claims of Captain Davis of Carolina and Captain Thomas Goodwin.

Nov. 12. The Assembly replied by submitting an order, modelled on that of 1667, calling upon all persons who had claims on the Government to produce them. The Governor rejoined that, the Governor and Council being excluded in this order from participation therein, it would be better to pass the order as an Act.

Nov. 13. The Assembly asked the Governor and Council to join in an address to the King. The Governor answered that he had received an address as to the additional duty on tobacco and desired members to be appointed to confer with members of the Council thereon. He thought it, however, needless for the Council to join in the address. The Conferrers met and the address was amended.

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Nov. 14. The Assembly sent a message to the Governor praying the Council to join in the above address; but the Governor and Council did not think it proper to do so. Copy of the Address, praying the King to dispense with the duty, owing to the low price of tobacco, to the discouragement that the new burden thereon will give to the importation of goods, to the indebtedness that will ensue to the planters, to the necessity that will be laid on the people of buying their clothes elsewhere than from England, and to the fact that the duty, though designed to fall on the retailer and consumer, will surely fall on the planter. [*Col. Entry Bk., Vol. LXXXV., pp.* 271-277.]

Nov. 11. **451.** The Lord Treasurer to the Governor of the Leeward Islands. The King has cancelled the forfeitures imposed on Barachiah Arnall. You will restore the property forfeited accordingly. [*Col. Entry Bk., Vol. XLVII., pp.* 194-195.]

Nov. 12. **452.** Journal of Assembly of Nevis. Sir William Stapleton's letter of 8 August read, asking that Colonel Burt's great expenses as Deputy-Governor might be remembered. [*Col. Papers, Vol. LVI., No.* 43.]

Nov. 12. **453.** Receipt for twenty prisoners from Wells to be transported to Jamaica. *Signed*, Robt. Chaplin. *Against one of the names is written*, "sick of the small pox." *Against another*, "runn away." 1 *p. Endorsed.* Account of Captain Heywood's prisoners. [*Col. Papers, Vol. LVI., No.* 101.]

Nov. 13. Whitehall. **454.** Order of the King in Council. That Sir John Witham be restored to his dignities, that the fines imposed on him be remitted, and that he be at liberty to take his remedy at law against Sir Richard Dutton. Lord Sunderland to prepare a letter accordingly. [*Col. Entry Bk., Vol. VII., pp.* 348-353.]

Nov. 13. **455.** Order of the King in Council. Report of Lords of Trade and Plantations on a petition from Sir Richard Dutton, setting forth that necessity had compelled him to accept £1,000 as a present from the Assembly of Barbados before receipt of the King's order. As Sir Richard Dutton and Henry Walrond have received divers sums from the Assembly of Barbados, contrary to order, we recommend that the whole matter be referred to the Earl of Rochester, Lord High Treasurer, to call them to account for the money they have received. *Dated* 7 November 1685. Ordered accordingly. [*Col. Entry Bk., Vol. VII., pp.* 366-367.]

Nov. 13. **456.** Order of the King in Council. Report of Lords of Trade and Plantations. We have examined the dispute between Lord Baltimore and William Penn as to Delaware. We find that the land intended to be granted by Lord Baltimore's patent was only land uncultivated and inhabited by savages, whereas the land in question was settled by Christians before Lord Baltimore's patent. We recommend that to avoid further differences the tract of land between the river and bay of Delaware and the Eastern Sea on the

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one side, and Chesapeake Bay on the other, be divided into two equal parts by a line from the latitude of Cape Henlopen to the fortieth degree of Northern latitude, and that one half towards Delaware Bay and the Eastern Sea be adjudged to belong to the King, and the other to Lord Baltimore. *Dated* 7 November 1685. Ordered accordingly. [*Col. Entry Bk., Vol. LII., pp.* 107-109.]

Nov. 13. **457.** Commission to Joseph Dudley to be Vice-Admiral of the Colony of New England. *Latin. Incomplete.* [*Col. Entry Bk., Vol. LXI., pp.* 266-267.]

Nov. 13. **458.** Address of the House of Burgesses of Virginia to the King. Professions of loyalty, and congratulations over the suppression of the late rebellion. We beg Your Majesty to dispense us from the additional duty on tobacco, which if continued will be very ruinous to us. [*Col. Entry Bk., Vol. LXXXIII., pp.* 77-79.]

Nov. 13. **459.** Governor Lord Howard of Effingham to the Earl of Sunderland. I take the first opportunity given me by my health to acknowledge receipt of the King's letter and of the happy news of the defeat of the rebels. Herewith is sent an address from the Burgesses respecting the additional duty on tobacco. I hope it is so humble and submissive that the King will not be offended at it, or I should not have suffered it to pass. Their importunity and insistence on their privilege prevailed with me to permit it, but the Council and I are not otherwise concerned in it. *Signed,* Effingham. *Holograph.* 1 *p. Endorsed.* Recd. 4 Jan. Read 16 Jan. 85-6. [*Col. Papers, Vol. LVI., No.* 102, *and Col. Entry Bk., Vol. LXXXIII., pp.* 76-77.]

[Nov. 13.] **460.** Duplicate of foregoing. *Dated* November 29th. *Endorsed.* Recd. 21 April 86. [*Col. Papers, Vol. LVI., No.* 103.]

Nov. 14. Virginia. **461.** Governor Lord Howard of Effingham to William Blathwayt. We received with joy the news of the suppression of the rebellion, as we had been terrified by reports of another kind from New England which emboldened many bad subjects here. I secured some and deterred others from spreading false reports by my proclamation, which shows the necessity of raising a standing guard of twenty men. This I am now doing. The news of the additional duty on tobacco has so discouraged the planters that it is difficult for me to assuage their fears. [*Col. Entry Bk., Vol. LXXXIII., pp.* 79-80.]

Nov. 16. **462.** Journal of Assembly of Virginia. The Assembly thanked the Governor for transmitting their address to the King. [*Col. Entry Bk., Vol. LXXXV., p.* 277.]

Nov. 16. Jamaica. **463.** Lieutenant-Governor Molesworth to William Blathwayt. A week since one Dushean, a French privateer, was careening in Porto Lucia on the North side of this Island. Hearing that many people were consorting to him I pressed a sloop, manned her with the Ruby's men, and sent her to bring the vessel in, which she did;

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but the captain and several of the men escaped ashore. Some desperate people are still designing for the South Seas, in spite of the bad news from thence. They seem to count on being picked up by Grammont's fleet, which is cut off from Petit Guavos under the French King's new orders. I hear that Bannister is about the leeward part of this Island, short of provisions. I shall endeavour to keep him so till I can send the frigate after him. It is rumoured that the French fleet was also about the Island and that some Spanish men of war had disturbed them, when the French fled and left Laurens to bear the brunt alone.

18 November. Captain Mitchell reported yesterday that while heaving down the Ruby her channel-wale gave way and was broken, with several of her timbers. It will now require a great deal of time to repair her. He therefore very frankly offered his service, proposing to hire two sloops, man them from the Ruby, and bring in Bannister. I gave my orders accordingly, and I hope he may have success. [*Col. Entry Bk., Vol. XXXI., pp.* 115-118.]

Nov. 17. Barbados. 464. Deputy-Governor Stede to the Earl of Sunderland. I have little to report except the continued prevalence of small pox, which proves very fatal to the negroes. Many professions of duty. *Holograph.* 1½ *pp. Endorsed.* Recd. 13 Feb. 85-6. [*Col. Papers, Vol. LVI., No.* 104, *and Col. Entry Bk., Vol. VII., p.* 357.]

Nov. 17. 465. Warrant for the committal of Ralph Izard for taking a box containing public records from Robert Quarry. [*Col. Entry Bk., Vol. XXI., p.* 149.]

Nov. 18. Whitehall. 466. Lords Proprietors of Carolina to Governor Joseph Moreton. You will commissionate Alexander Dunlop to be Sheriff of Port Royal County, and four justices who will be recommended to you by Lord Cardross, Mr. William Dunlop, and Mr. Dunlop above named. We hear that numbers of our cannon lie useless and dismounted at Charlestown. You will deliver five of them to Lord Cardross and Mr. Dunlop for the defence of Stewart's town or some other town in Port Royal County, that frontier lying wholly open to the Spaniard. *Signed,* Craven, P. Colleton, S. Sothell. [*Col. Entry Bk., Vol. XXII., p.* 73.]

Nov. 18. 467. Journal of Assembly of Virginia. The Governor made a speech to this effect. I must say to you now what I could not, through my illness, say to you at your first meeting. You have sat for three weeks and presented no bill to me yet; nor can I be surprised when you do not sit till eleven in the morning nor after five in the afternoon. The King desires a house to be built for the Governor, for which I have now chosen a site in the Governor's land. A bill is also needed to empower the Governor and Council to raise a levy not exceeding twenty or twenty-five per poll for incident expenses of Government. You know how useful this will be, owing to the expense of holding Assemblies, but I give you assurance that I shall be ready to call Assemblies at reasonable intervals. I intend to raise twenty-four men for the safety of the country, to be paid out of the King''s revenue, and I ask you to raise and pay

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twenty-four more, with officers, in case of alarms of Indians or of disorder among the people.

Nov. 19. The Assembly presented an Address praying that quit-rents may be paid in tobacco instead of ready money, owing to difficulty of paying them in the latter.

Nov. 20. The Governor expressed surprise at receiving such an address, since the quit-rents were now applied to the public service, but consented so far as to undertake to give orders that the quit-rents should be received in tobacco in cases where money was scarce. Message from the Governor. The Council has received several bills from the Assembly which have been read a first time only. We cannot consider them till they have been read three times. [*Col. Entry Bk,. Vol. LXXXV., pp.* 279-281.]

Nov. 19. **468.** Commission to Richard Wharton to be Judge of the Admiralty Court in New England. *Countersigned,* S. Pepys. [*Col. Entry Bk., Vol. LXI., p.* 267.]

Nov. 19. **469.** Warrant appointing Richard Chamberlain Registrar of the Admiralty Court, New England. *Countersigned,* S. Pepys. [*Ibid., p.* 268.]

Nov. 19. **470.** Warrant appointing Joseph Smith Marshal of the Admiralty Court, New England. *Countersigned,* S. Pepys. [*Ibid., pp.* 268-269.]

Nov. 19. **471.** Journal of Assembly of Nevis. Petition of Thomas Cleverley for compensation for injury done to one of his negroes who was wounded in the apprehension of a murderer. Resolved that the charge lies against the King and not against the country. The Governor proposed (1) that the Council and Assembly should examine the fort at Blackrock with him with a view to certain improvements, (2) to buy five great guns that John Netheway has to dispose of, (3) to make owners of small boats give security to prevent carrying off of negroes, escape of any person, and imparting of intelligence in case of war; the boats in case of refusal to be hauled up under the guns of the forts and be unused. The Council concurred. [*Col. Papers, Vol. LVI., No.* 43.]

Nov. 20. **472.** Declaration of twelve members of the Commons who met in the Parliament Chamber at Charlestown, Carolina, and were excluded this 20th November, 1685. Yesterday the Governor and the rest of the Lords-deputies openly proposed in the Parliament that the Parliament should choose two members for the Grand Council according to the Lords' instructions, and did choose them accordingly. The Governor directly after declared that every member must sign a certain sentence of allegiance to the King, fidelity to the Lords, and maintenance of the Government according to the fundamental constitutions. The above mentioned Commons declined to sign, and withdrawing from the House were sent for to meet again in Parliament this morning. We did so. The Governor again proposed to us to sign; we again declined, and

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offered our reasons. The Governor then declared that, by order of the Lords, those who refused to sign could not be admitted as Parliament-men, and must withdraw. We were therefore excluded. We now declare that we are willing and desirous, as heretofore, to swear allegiance to King James, fidelity to the Lords Proprietors, and maintenance of the fundamental constitutions of 21 July 1669. We also declare, for the satisfaction of those who entrusted us as their representatives in Parliament, that we refused to sign for the following reasons. 1. We have all sworn to the fundamental constitutions of 21 July 1669; but to subscribe vaguely to the fundamental constitutions seems to subject the country to any set of fundamental laws that the Proprietors may send out. We are the rather of this opinion as the Proprietors have already sent out three sets of fundamental constitutions since 1669, and have ordered the Government to be conducted according to those of 12 January 1681. 2. We think it contrary to law and reason that this Parliament shall sign any engagement which makes room for the abolition of the constitutions of 1669, the 13th article of which declares that Parliament can make no laws to be of force more than thirty years, but that the fundamental constitutions themselves, being of higher original, shall stand unalterable for ever. 3. The nobility of the province have their titles of honour legally derived to them from the Lords Proprietors by the Charter of King Charles II., but their power is derived to them from the constitutions of 1669. The abrogation of these constitutions may therefore leave them no inherent power in the Government; and we are not inclined to part with this power. We think it unjust and dishonourable in the highest degree to abridge the power of the nobility at this time, since they are all absent and have not had reasonable time allowed to them to appear and speak for themselves. We have many more weighty reasons, but for the present submit these only. We declare finally that the remaining Commons, the Governor, and the Lords Deputies, are not the majority of the Parliament, for they cannot rationally or legally be a major part of us whom they have excluded, and we therefore declare that the two Commoners yesterday voted for and chosen to be members of the Grand Council, ought not to sit as such till all the dissatisfactions arising from the exclusion of us from the Parliament be stated and cleared according to the unalterable constitutions of 1669. *Signed*, Benj. Waring, Hen. Samwayes, Jacob Wright, John Ladson, Ja. Stanyarne, Peter Hearne, Wm. Thorrowgood, Jas. Baemor, Wm. Brockhuss (his mark), John J. Cowen, John Powys, Joshua Lynch. [*Col. Entry Bk., Vol. XXI., pp.* 144-147.]

Nov. 23. **472.** Commission from the Lord High Treasurer to Edward Randolph to be post-master of New England. *Signed,* Rochester. [*Col. Entry Bk., Vol. LXI., p.* 269.]

Nov. 23. **473.** Journal of Assembly of Virginia. Message from the Governor returning several bills amended by the Council for consideration.

Nov. 25. The Assembly sent up a bill that all claims should be proved in County Court, which was amended, and a bill concerning runaways, which was assented to. Message from the Governor pointing out that only one of the bills recommended by him had been received so far, and asking immediate consideration of the rest. Bill for settling ports presented to the Governor.

Nov. 27. The above bill returned by the Governor to the Assembly. Address of the Assembly reiterating their former address concerning the quit-rents, and praying that they may be dispensed with for this year pending receipt of the King's orders; also giving the Assembly's reasons for desiring the total disbandment of the soldiers. A second address praying for revision of the laws. Answer of the Governor. I thought that I had already answered you sufficiently as to the quit-rents. I do not, nor does the Council, think your reasons sufficient to justify the disbandment of the soldiers. Message from the Governor to the Assembly. You have sat so long and done so little that I desire you forthwith to prepare the bills that I recommended to you. [*Col. Entry Bk., Vol. LXXXV., pp.* 281-285.]

Nov. 24. 474. Journal of Assembly of Barbados. Present, John Reid, Speaker, and Richard Barratt, two members only, owing to the sickliness of the times and the inconvenience of meeting in a body while the small pox was so "breife" in the town. Adjourned to 15 December. [*Col. Entry Bk., Vol. XIV., pp.* 137, *and* 143.]

Nov. 25.
Jamaica.
475. Lieutenant-Governor Molesworth to William Blathwayt. I have duly received my commission. It will be of great advantage not only to Spain, but to Europe, that the privateers in the South Seas should be suppressed; but above all it will benefit this Island, which is unpeopled by privateers. I wish the King of Spain would give His Majesty sufficient encouragement to do so great a work. Captain Mitchell returned with his two sloops without any success (*see No.* 463), having been round the whole Island without meeting Bannister or any of the French fleet. Bannister indeed was so much alarmed on reaching the place to hear Duchean's ship was taken, that he only waited to take Duchean on board and at once made all sail. I am glad to find my measures so far successful. The utmost I can expect of the Ruby is to have her ready to go to England in the spring. Stanley is returned, having been several times in great danger, beating upon the rocks many times but failing to find the rock that they looked for. The peril was such as to discourage them from further attempts. Smith still sticks positively to his first statement. Stanley thinks he must either have seen the wreck or the Spanish directions, for his relation corresponds exactly with it. You shall have his journal by next ship. *Signed*, Hder. Molesworth. [*Col. Entry Bk., Vol. XXXI., pp.* 119-121.]

Nov.
Jamaica.
476. Lieutenant-Governor Molesworth's instructions to Captain David Mitchell, of H.M.S. Ruby. To take two sloops, the frigate being unfit to go to sea, man them with the King's sailors, and cruise towards the East end of the Island in search of the pirate Bannister, and his ship the Golden Fleece. *Copy.* 1½ *pp. Endorsed.* [*Col. Papers, Vol. LVI., No.* 105.]

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Nov. 25. **478.** Instructions to Sir Philip Howard, as Governor of Jamaica. A clause inserted ordering strict enquiry where piratical goods are to be found, and an exact account to be transmitted. Another clause forbidding a minister to be preferred to any benefice without the Bishop of London's certificate, and giving him jurisdiction in ecclesiastical matters so far as conveniently may be. A special clause for the encouragement of the Spanish negro-trade. Patentees and their deputies to be enquired into; power given to suspend them in case of misbehaviour. All transported servants to serve their masters for four years from the time of landing and to have thirty acres of land at the expiration of their term. A sum not exceeding £300 *per annum* may be voted for the solicitation of the Island's affairs in England, or the sum may be raised by voluntary contributions. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XXX., pp.* 319-342.]

Nov. 26. **479.** Journal of Assembly of Nevis. The Assembly answered the proposals of the Governor and Council of 19th inst. (*see No.* 471). 1. We consent. 2. The County is in no present need of guns. 3. We agree. The security shall be fifty pounds; those that refuse to give it shall have their boats secured as proposed, and in default destroyed. Or the offenders may be fined thirty shillings for each default. All bark logs to be secured close to dwelling-houses, and those found elsewhere destroyed and the owners fined. [*Col. Papers, Vol. LVI., No.* 43.]

Nov. 28. **480.** Journal of Lords of Trade and Plantations. Sir Philip Howard being unable to start for Jamaica through sickness, agreed to send duplicate of his Commission and instructions to Colonel Molesworth.

Mr. Stede's letter of 21 September read, with an address from the Legislature of Barbados (*see Nos.* 374, 367), and referred to the Lord Treasurer.

Petition of Stephen Duport read (*see next abstract*). The Lords agreed in the report (*see No.* 484).

The laws of Barbados referred to the Lord Chancellor for perusal.

Mr. Cranfield's letter of 29 August read (*see No.* 338). The Lords agreed to give him leave to return to England.

Accounts of the office passed. [*Col. Entry Bk., Vol. CVIII., pp.* 228-229.]

[Nov. 28.] **481.** Petition of Stephen Duport, planter at St. Christopher's, to the King. I had leave from the Governor to entertain a Scotch servant, who, notwithstanding, has been maliciously molested since the Governor's departure. I beg an order to Sir William Stapleton that I may peaceably employ him. 1 *p. Endorsed.* Read 28 Nov. 85. *Attached,*

481. I. Certificate from Sir William Stapleton that he did grant the permission as stated. *Dated* 14 Nov. 1685. ½ *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 106-106 I.]

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Nov. 30. **482.** Journal of Assembly of Virginia. The Assembly sent up the bill for Ports, requesting the Council to admit one town for each county, and accepting the Council's other amendments.

Dec. 1. Bill for Ports assented to and returned. The Assembly addressed the Governor to know what arms belonging to the country were come to his hands since last Assembly. The Governor replied that he knew not by what authority they asked, nor the meaning of the term "belonging to the country." The arms belonging to the King were lodged at his house. Addresses of the Assembly, asking that the use of the seal of the Colony might be granted to the inhabitants, as heretofore, without fee, and that Patents may be granted to certain persons on the Blackwater for their lands, and the remainder of the land thrown open to settlement.

Dec. 2. Answer of the Governor declining to accede to either request, the fees being moderate and in accordance with custom and authority. The Assembly's address in reply to the Governor's speech of 18 November, deprecating his reproofs, and stating that they are willing to take steps for the building of a Governor's house if there be money sufficient to spare from the King's revenue, and refusing to pass a bill empowering the Governor and Council to raise a levy or to allow a larger standing guard than can be paid for out of the King's revenue. Report of a Committee of the House approving the change of style in appropriating fines and forfeitures to the King, and recommending that it remain unaltered until the matter can be fully discussed. Address praying for the construction of a public prison. Address praying for the issue of a warrant summoning William Fitzhugh to answer to a complaint of the House, and for his suspension from all his offices. Answer of the Governor. As to the Governors' house, the King's revenue cannot meet the cost, being already much in arrear. As to the bill empowering the Governor and Council to raise a levy, I have the King's confirmation of former instructions on that head, and had hoped that you would have thought it reasonable. I return the question of fines and forfeitures for your reconsideration. As to the raising of the standing guard, the King's revenue should have paid all the cost had it sufficed. I approve of the erection of a prison but not by the funds that you propose. I will issue my warrant for William Fitzhugh but cannot suspend him till he has had opportunity to defend himself. The Governor made a speech, intimating the King's confirmation of all the laws of last Assembly, with some recommendations, which, however, he could not hope, in the present temper of the House, would be accepted.

Dec. 3. Address of the Assembly, returning to the charge as to the charge of fees for the use of the seal, and requesting the appointment of a joint Committee for revision of the laws. Answer of the Governor. I am ready to give you any reasonable assurance that the fees are charged for the sake of decency and order and not for private profit. As to quit-rents I can give you no other answer than my first. As to revision of the laws I think the whole Council should consider it, and I will take care that this be done before next Assembly.

Address of the Assembly, repeating their former answers as to the Governor's house, the power of Governor and Council to raise a levy, and the matter of fines and forfeitures, but yielding as to the prison and the treatment of Fitzhugh.

Dec. 4. Address of the Assembly asking for copy of the Royal recommendations and instructions that accompanied the confirmation of the law. Speech of the Governor as to the list of public claims, criticising several items. [*Col. Entry Bk., Vol. LXXXV., pp.* 285-303.]

Dec. 1. **483.** Minutes of Council in Jamaica. The Lieutenant-Governor's new Commission read. Order for all officers to be continued in their places. Order for payment for hire of a sloop; for the parties in pursuit of the negroes to be continued or replaced; for the parties still unpaid to send in their certificates of service; for the late proclamation as to rewards to be published again. [*Col. Entry Bk., Vol. XXXVI., pp.* 103-104.]

Dec. 2. **484.** Lords of Trade and Plantations to the King. Recommending compliance with the petition of Stephen Duport (*see No.* 480). Ordered in Council accordingly. [*Col. Entry Bk., Vol. XLVII., p.* 196.]

Dec. 2. **485.** Journal of Lords of Trade and Plantations. The Lords ordered a new Commission to be prepared for Sir William Stapleton. [*Col. Entry Bk., Vol. CVIII., p.* 230.]

[Dec. 2.] **486.** Memorandum for a new Commission and Instructions for Sir William Stapleton. That the Councillors of each of the Leeward Islands be nominated by the King, and the Deputy-Governors likewise; that the laws be made indefinite, and not for two years, with a power to the King to revoke or confirm; that the claims of the English against the French in St. Christopher's be considered; that it be considered in what Island the Governor shall chiefly reside. *Copy.* 1 *p.* *Endorsed.* Read 2 Dec. 85. [*Col. Papers, Vol. LVI., No.* 105.]

Dec. 3. Whitehall. **487.** [William Blathwayt] to Sir William Stapleton. Summoning him to the Board on the business of his new Commission and instructions. *Draft.* ½ *p.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 108.]

Dec. 4. Nevis. **488.** Deputy-Governor Burt to Lords of Trade and Plantations. The King's letter of 26 June was received with great loyalty, and the Act for additional duty on sugar and tobacco with general satisfaction. We hear with joy that the Duke of Monmouth has been defeated. *Signed,* Wm. Burt. *Holograph.* 1½ *pp.* *Endorsed.* Recd. 13 Feb. 85-6. [*Col. Papers, Vol., LVI., No.* 110, *and Col. Entry Bk., Vol. XLVII., pp.* 181-182.]

Dec. 4. Whitehall. **489.** Order of the King in Council. Referring the petition of Christopher Billop to Lords of Trade and Plantations for report. *Signed,* Phil. Musgrave. ½ *p.* *Annexed,*

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489. I. Petition of Captain Christopher Billop to the King and Privy Council. In 1682, when commander of the ketch Deptford, I seized an interloper called the Providence, which was condemned in the Admiralty Court of Nevis. Some time after I consigned some negroes and other goods from Nevis to New York, which were illegally seized and judgment given against me to the value of £1,140. I beg an order from the Mayor's Court of New York to stop all proceedings, and to send over an appeal, that the case may be determined by the Lords of Trade and Plantations. *Copy.* 1 *p.* *The whole endorsed.* Recd. 7 Dec. Read 14 and 22 Dec. 85. *Printed in New York Documents.* III. 365. [*Col. Papers, Vol. LVI., Nos.* 110-110 I., *and (order only) Col. Entry Bk., Vol. LXVIII., pp.* 75-76.]

Dec. 7. **490.** Act of Virginia appointing ports for landing and shipping merchandise, for preventing frauds on the King's revenues and Customs. 6½ *pp.* [*Col. Papers, Vol. LVI., No.* 111.]

Dec. 7. Custom House. **491.** Commissioners of Customs to Lords of Trade and Plantations. We have considered the address of the Assembly of Barbados as to the additional duty on sugar. There is nothing therein that we have not frequently heard from the merchants of the city. It is the abundance of sugar, not the duty, that brings them evil. We do not think it desirable to make any alteration in the duty for at least a year. *Signed,* D. North, Jo. Werden, N. Butler, J. Buckworth, T. Chudleigh, W. Dickinson. [*Col. Entry Bk., Vol. VII., p.* 374.]

Dec. 7. **492.** Journal of Assembly of Virginia. The Assembly's replies to the Governor's criticisms on the public claims. The Governor's rejoinder thereto. The Clerk of the Council was summoned before the Burgesses. The Governor pointed out that his leave should first have been obtained.

Dec. 8. The Assembly's further answer as to the public claims. Dispute with the Governor as to the allocation of office-rooms in the State house. The Council yielded as to the public claims, thinking it better to allow them, though unregulated, than put the public to the cost of these disputes. Wrangle over the salary of the Clerk of the General Assembly.

Dec. 9. The Assembly objected to an unauthorised addition to the bill for ports. Wrangle over the question with the Governor and Council.

Dec. 10. Wrangle over the bill for ports continued. Speech of the Governor rebuking the Assembly for its dilatoriness, and directing it to pass the bill without delay.

Dec. 11. The wrangle continued at great length.

Dec. 12. The Governor proposed to pass all other bills and reserve the bill for ports for the King's pleasure. The Assembly, after long dispute, refused to yield.

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Dec. 13. The Governor repeated his proposal, which was again rejected. The Governor prorogued the House till 20 October next. [*Col. Entry Book, Vol. LXXXV., pp.* 303-326.]

Dec. 9. Whitehall. 493. The King to Lieutenant-Governor Stede. Ordering Sir John Witham to be restored to his dignities, his fines to be remitted, and that he have the benefit of every matter in the report of the Lords of Trade and Plantations (*see No.* 439). *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. VII., p.* 365.]

Dec. 11. Whitehall. 494. Order of the King in Council. Referring the petition of John Goldingham and Ralph Lane to Lords of Trade and Plantations for report. *Signed,* Phil. Musgrave. ½ *p. Annexed,*

494. I. The petition referred to. At the end of October, 1684, shortly after the suspension of Sir John Witham, we said, in discourse, that if Sir Richard Dutton were to die or leave the Island Sir John would be chief in the Government. Sir Richard Dutton, hearing of this, summoned us before himself and Council, and adjudging the words seditious, had us arrested. We were afterwards indicted for using these words and for saying that half Sir Richard's salary had been stopped for Sir John Witham, and we were fined fifty pounds by Henry Walrond, Chief Judge of the Grand Sessions, and some few more of the Council. The words were true and could not have served for an indictment under any other Governor. We appeal to Your Majesty for remission of the fines and for relief. *Copy.* 1½ *pp.*

494. II. Order of Council of Barbados for committal of Ralph Lane and John Goldingham. *Dated* 4 November 1684. *Copy.* 2 *pp. Endorsed.* Read 29 Dec. 85.

494. III. Indictment of John Goldingham. *Copy.*

494. IV. Indictment of Ralph Lane. *Copy.* 1 *p.*

494. V. Depositions of Joseph Holderby, Charles Brettall, and Thomas Marshall, in the case. Copy of the order for committal. *Copies.* 2 *pp. The whole endorsed.* Recd. 14 Dec. Read 30 Dec. 85. Sir R. Dutton to answer. [*Col. Papers, Vol. LVI., Nos.* 112, 112 I.-V., *and (order only) Col. Entry Bk., Vol. VII.*]

Dec. 12. 495. Lieutenant-Governor Molesworth to the Governor of Havana. I hope that my correspondence with you may be better than with your predecessor, who countenanced a parcel of thieves and robbers in all sorts of villainies against British subjects. Hearing that one of our traders, Captain Chandler, and thirty or forty more English are prisoners with you I send this small ship, the Bonito, to ask you to restore them; but I ask for none against whom piracy can be proved. *Copy.* 2 *pp. Endorsed.* Recd. 22 March 85-6. [*Col. Papers, Vol. LVI., No.* 113.]

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Dec. 14. **496.** Journal of Lords of Trade and Plantations. Petition of Sir William Stapleton read (*see next abstract*). Agreed that he attend the Committee with documents. Petition of the Deputy-Governors of the Leeward Islands read (*see No.* 498).

Petition of Edward Plampin read. The Lords agreed on their report (*see No.* 508).

Memorandum of letters despatched. [*Col. Entry Bk., Vol. CVIII., pp.* 231-232.]

[Dec. 14.] **497.** Petition of Sir William Stapleton to Lords of Trade and Plantations. Several times during my government and Lord Willoughby's, laws, letters, and addresses concerning the Treaty of Neutrality, the condition of the two companies, and our lack of arms and ammunition, have lain long before you without your consideration or motion. If you have time to consider these matters I beg you to do so. I beg too that, if a new Commission be preparing for me, and if I have not misbehaved myself in the last fifteen years, my powers may not be lessened. *Signed*, Wm. Stapleton. *Holograph.* 1 *p. Endorsed.* Read 14 Dec. 85. [*Col. Papers, Vol. LVI., No.* 114.]

[Dec. 14.] **498.** Petition of the Deputy-Governors of the Leeward Islands to the King. We are all soldiers of fortune, but in our present station are at continual charges for the entertainment of strangers and others who resort to these Islands, and have nothing to depend on but the people's kindness, which has been debarred from us by recent orders of the late King. We beg the revocation of these orders, and that provision may be made for us. *Signed*, Tho. Hill; Ja. Russell; Rcd. Stapleton; Ed. Powell. 1 *p. Endorsed.* Recd. 14 Dec. 85. "Nothing." [*Col. Papers, Vol. LVI., No.* 115.]

[Dec. 14.] **499.** Petition and address of the Lieutenant-Governor, Council and Assembly of Barbados to the King. We have heard with abhorrence of the rebellions of Argyle and Monmouth, and rejoice to hear that the rebels are put down. We have always been a loyal Colony. Unfortunately our early success in planting sugar encouraged so many of our neighbours to do the like that our commodity is become a drug. We are most of us overcharged with debt, and the produce is subject to so many accidents and losses that we can barely live. We beg therefore for an abatement of the additional duty and that you will think of some other expedient to take its place. *Copy.* 2½ *pp. Unsigned. Endorsed.* Original read 14 Dec. 85. [*Col. Papers, Vol. LVI., No.* 116, *and Col. Entry Bk., Vol. VII., pp.* 344-347.]

[Dec. 14.] **500.** A list of the Signatories to the foregoing. Twenty-five all. *In the handwriting of a Clerk to the Board of Trade.* ½ *p.* [*Col. Papers, Vol. LVI., No.* 117.]

Dec. 14. Council Chamber. **501.** William Blathwayt to Henry Guy. Forwarding the Address of the Legislature of Barbados on the sugar duty (*see No.* 367) for the consideration of the Lord Treasurer. [*Col. Entry Bk., Vol. VII., p.* 347.]

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Dec. 15. Barbados. **502.** Lieutenant-Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the Council's transactions and of imports. *Signed*, Edwyn Stede, John Hallett, John Gibbes, Henry Quintyne, Tho. Walrond, Fran. Bond, Robert Davers, Stephen Gascoigne. 1 *p.* *Inscribed and endorsed.* Recd. 11 Mar. 85-6. [*Col. Papers, Vol. LVI., No.* 118, *and Col. Entry Bk., Vol. VII., p.* 358.]

Dec. 15. **503.** Minutes of Council of Barbados. The Royal Instructions were communicated to the Council. Ordered that copies of the instructions against drunkenness and debauchery be sent to the justices of the peace, and that the parish registers be kept more exactly. Francis Bond sworn of the Council. Payments to Sir T. Thornhill, John Saunders, John Atkinson, and John Parkinson for work, etc., on the fortifications. £25 10s. ordered to Humphrey Kent in compensation for a negro executed, and from £17 10s. to £20 to Francis Emperor, Abraham Baruch, Hugh Jones, and Abraham Nowell for the same. Payments to William Barges, Edward Pare, and John Frere on account of fortifications, to Benjamin Dwight for services to the Committee of Public Accounts and to John Hallett. Further payments on account of fortifications and gunners.

Dec. 16. Payments to Symon Cooper, Thomas Brewster, and John Stewart on account of fortifications. Grant to Thomas Gibbes of the King's title to lands of John Powrey deceased. The Lieutenant-Governor announced that he would give no commission to any judge that practised as attorney or pleader. Adjourned to 19 January 1686. [*Col. Entry Bk., Vol. XI., pp.* 659-667.]

Dec. 15. **504.** Journal of Assembly of Barbados. Thirteen members only present. Adjourned to 16 February. [*Col. Entry Bk., Vol. XIV., pp.* 143-144.]

Dec. 17. **505.** Governor Cony to the Earl of Sunderland. *Superscribed.* Copy of a letter from Coopland Lea, George Bascom, William Keeley, and Francis Dickinson to the Deputy-Sheriff. We need your presence and advice in consequence of a riotous assembly of Captain Sharp's men, who have seized William Righton's house and continue there by force, using many bloody oaths, calling the inhabitants rebels and charging them with attempting to kill the Governor. *Cony's letter begins.* The above letter is a true copy. Righton several times sailed from these Islands without giving bond, or clearing in the Secretary's office, and carrying off several quantities of tobacco without paying duty. For these offences I imprisoned him, but he broke prison and sailed for Pennsylvania. Returning thence he would not come under my command, but rid in harbour in his boat some sixteen miles away close to his own house. I sent to him to bring down his vessel and shew me his cocquets, which he refused to do. I then sent Captain Sharp (who holds Sir William Stapleton's commission) to send twelve of his men and bring down Righton and his vessel. They found the vessel unrigged and without her rudder, so returned without her, but by my

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order two waiters stayed on board her. In the end Righton came to me and showed me some four lines for his cocquet, written on the blank paper of an old almanac. This being unsatisfactory to me I committed him, and ordered Sharp's men to get the sails, etc., and rudder from his house and bring the vessel under my command; but none of the materials could be found. This is the real truth about the riotous assembly. There was not the least incivility committed by Sharp's men. The waiters on board have deposed on oath that there was at least a thousand pounds weight of tobacco in the vessel above the amount stated in his cocquet. The three first signatories of the above letter are of the Council, but suspended for reasons given in my letter. Dickinson, a blacksmith, and one of the Militia captains, is under suspicion of firing Mons. Desnouart's ship for her iron. These signatories are now transformed into a Committee of Safety, and take upon them the government of the country and the disposal of the Crown lands for the maintenance of their Ministers. *Signed*, Richard Cony. 1½ *pp. Endorsed.* Recd. 2 March 85-6. [*Col. Papers, Vol. LVI., No.* 119.]

Dec. 17. 506. The same to Lords of Trade and Plantations. Practically a duplicate of foregoing. 1 *p. Endorsed as foregoing.* [*Col. Papers, Vol. LVI., No.* 120.]

[Dec. 17.] 507. A collection of Enclosures to the two foregoing despatches.

507. I. Governor Cony's reasons for forbidding William Peniston to transport tobacco till the magazine ship be laden. Insufficient bonds offered; Peniston's vessel unable to resist an enemy; irrational not to load the magazine ship. *Dated* 11 July 1685. 1½ *pp. Endorsed.* Recd. 2 Mar. 85-6.

507. II. Deposition of Jonathan Stokes. As to an unauthorised visit of George Bascom, William Keele, and others to Pagett's port. *Dated* 12 October 1685. 1 *p. Endorsed.* Recd. 2 March 85-6.

507. III. Statement of Guillaume Desnouart. As to the wreck of his ship at Bermuda and the plunder of the wreck, in spite of the Governor's orders, by the people. *French.* 2 *pp. Endorsed.* Recd. 2 March 85-6.

507. IV. Deposition of Captain Francis Tucker. As to the ousting of himself from the command of Smith's fort by William Keele. *Dated* 5 Nov. 1685. *Scrap. Endorsed as foregoing.*

507. V. Petition of the officers of the Militia of Bermuda for ammunition, there being not fifty pounds of powder in the public stock. *Signed,* Antho. White, and five others. *Dated* 26 Nov. 1685. *Endorsed as foregoing.* 1 *p.*

507. VI. Copy of the letter of the Justices to the Sheriff at the head of No. 506. *Scrap. Endorsed.*

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507. VII. Declaration of Samuel Trott. As to violent words spoken by George Bascom to Governor Cony. 1 *p.* *Endorsed.* Recd. 2 March 85-6.

507. VIII. Deposition of John Best and others, as to the falsehood of charges of misbehaviour against Captain Bartholomew Sharp's men at Bermuda. *Dated* December 19 1685. 1 *p.* *Endorsed as the foregoing.* [*Col. Papers, Vol. LVI., Nos.* 121 I.-VI.]

Dec. 18. Whitehall. **508.** Order of the King in Council. Report of Lords of Trade and Plantations. On the petition of Edward Plampin, we recommend that Lord Howard be ordered to bring the matter to a speedy issue in the Courts of Virginia. *Dated* 14 December 1685. Ordered accordingly. [*Col. Entry Bk., Vol. LXXXIII., pp.* 81-82.]

Dec. 19. **509.** Deposition of John Best. As to words spoken by Cornelius Hinson against Governor Cony, *e.g.*, that if one ship should arrive in this Island the Governor would be torn limb from limb. [*Col. Papers, Vol. LVI., No.* 122.]

Dec. 19. Jamaica. **510.** Lieutenant-Governor Molesworth to the Governor of Merida. Hearing that you have several British prisoners in your city I send Captain Adrian Scroope to ask you to restore them, but I ask for none against whom piracy can be proved. Copy. *Below.* Copy of a letter to the same effect to the Governor of Campeachy. *The whole* 2½ *pp.* *Endorsed.* Recd. 22 March, 85-6. [*Col. Papers, Vol. LVI., No.* 123.]

Dec. 19. Whitehall. **511.** The King to Lieutenant-Governor Molesworth. I send a copy of Sir Philip Howard's Commission, to be forthwith executed in his absence by you. We have received your complaints against Lieutenant Henry Butler, of the Ruby, and have ordered him to be dismissed from our service. As you seem to want further instructions how to meet such misbehaviour as his, it is our pleasure that the law of the country be enforced against all crimes committed ashore, though the offenders be on our actual service and pay on board ship. *Countersigned.* Sunderland. [*Col. Entry Bk., Vol. XXXI., pp.* 121-123.]

Dec. 20. Whitehall. **512** The King to Captain David Mitchell, R.N. Ordering the immediate dismissal of Lieutenant Henry Butler from the service, that he may be tried by the civil power. [*Col. Entry Bk., Vol. XXXI., pp.* 123-124.]

Dec. 21. Council Chamber. **513.** Sir William Stapleton to Lords of Trade and Plantations. The enclosed copy of the demands made by me on Count de Blenac for reparation for injuries to English subjects will make my requests clear to you. *Holograph.* ½ *p.* *Enclosed,*

513. I. Copy of demands made by Sir William Stapleton to Count de Blenac. *Dated* 4 Nov. 1679. Eight Articles. 1 *p.* (*see previous volume*). [*Col. Papers, Vol. LVI., Nos.* 124, 124 I.]

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Dec. 21.

514. Journal of Lords of Trade and Plantations. Petition of Captain Christopher Billop read (*see No.* 489 I.), and the case examined. The Lords agreed in their report (*see next abstract*).

Accounts of the office for the quarter ending Christmas 1685. *Signed.* [*Col. Entry Bk., Vol. CVIII., pp.* 233-237.]

Dec. 23.
Whitehall.

515. Order of the King in Council. Report of Lords of Trade and Plantations. On the petition of Christopher Billop, we recommend that the appeal be admitted, the petitioner giving security in £2,000 to prosecute it. *Dated* 21 Dec. Ordered accordingly. *Printed in New York Documents.* III., 366. [*Col. Entry Bk., Vol. LXVIII., pp.* 76-79.]

Dec. 29.

516. Journal of Lords of Trade and Plantations. Business of the Leeward Islands. The Lords require a state of the damages sustained from the French in the Leeward Islands to be laid before them.

Petition of Henry Mudd read and referred to Sir Richard Lloyd, Judge of the Admiralty Court (*see No.* 181).

Petition of John Goldingham and Ralph Lane read, and referred to Sir R. Dutton for report (*see No.* 494 I.).

Colonel Cony's letter of 8 October read (*see No.* 396). Agreed to consider it at next meeting.

Memorandum of letters despatched and received. [*Col. Entry Bk., Vol. CVIII., pp.* 238-241.]

Dec. 29.

517. Minutes of Council of Barbados. The King's letter as to rebels sent to the Island read. John Peers, Thomas Walrond, Francis Bond, and John Gibbs appointed a Committee to draw up a bill for the purpose. Ordered that the Assembly be summoned for 4 January next. [*Col. Entry Bk., Vol. XI., p.* 668.]

Dec. 30.
Council Chamber.

518. William Blathwayt to Sir Richard Dutton. Forwarding the petition of John Goldingham and Ralph Lane (*see No.* 494 I.), that he may shew cause why the fines imposed on them should not be remitted. [*Col. Entry Bk., Vol. VII., p.* 355.]

Dec. 30.

519. William Blathwayt to Sir Richard Lloyd. Forwarding copy of petition of Henry Mudd for his opinion (*see No.* 181). *Draft with corrections.* ½ *p. Endorsed.* [*Col. Papers, Vol. LVI., No.* 125.]

520. List of the officers of the Leeward Islands.

NEVIS.

Deputy-Governor: Sir James Russell.

Council:

Colonel Daniel Lanhather.
Colonel William Burt.
Lieutenant-Colonel Charles Pym.
Major Edward Earles.
Major Joseph Jory.
Captain Philip Lee.

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Captain Samuel Gardiner.
Mr. Henry Carpenter.
Mr. Nath. King.

ST. CHRISTOPHER'S.

Deputy-Governor: Colonel Thomas Hill.

Council:

Lieutenant-Colonel John Estridge.
Lieutenant-Colonel Roger Elrington.
Captain John Pogson.
Captain Joseph Crispe.
Captain Christopher Jeaffreson.
Captain James Phipps.
Mr. John Vickers.

ANTIGUA.

Deputy-Governor: Colonel Edward Powell.

Council:

Colonel Rowland Williams.
Colonel Christopher Codrington.
John Parris.
Nicholas Raynsford.
Lieutenant-Colonel John Vernon.
Captain Francis Carlile.
Captain Samuel Winthrop.
Major William Barnes.
Captain John Yeomans.
Major Archibald Cockram.
Captain John Lingham.

MONTSERRAT.

Deputy-Governor: Colonel Redmd. Stapleton.

Council:

Captain John Symms.
Lieutenant-Colonel John Devereux.
Lieutenant-Colonel Thomas Roche.
Major Nicho. Meade.
Lieutenant William Fox.
Captain Tho. Nugent.
Captain Edward Reade.

ANGUILLA.

Deputy-Governor: Captain Abraham Howell.

TORTOLA.

Deputy-Governor: Captain Thomas Bisse.

BARBUDA.

Deputy-Governor: Captain John Henselm.

In the handwriting of Sir W. Stapleton. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVI., No.* 126.]

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521. Petition of Merchants and Planters, trading to St. Christopher's and the rest of the Caribbee Islands, to Lords of Trade and Plantations. In 1678 a treaty of neutrality between French and English in the Leeward Islands was signed by the two Governors in St. Christopher's, but being sent home for ratification was laid aside on some objections of the French. We have not nearly recruited the losses in the late unhappy war, and the alarm and apprehension of another war keeps the plantations from advancing. The English inhabitants have apparently decreased in the last six or seven years in the Leeward Islands. We beg that this may be considered and relief granted. *Twenty-nine signatures. Undated.* [*Col. Papers, Vol. LVI., No.* 127.]

[Dec.] **522.** A collection of papers concerning the relations of the French with the English in St. Christopher's.

522. I. Memorial of demands upon which satisfaction is expected from the French touching St. Christopher's. 1. The restitution of several plantations sold to the French by unjust contracts. 2. Satisfaction for wilful devastations committed by French subjects on English plantations. 3. Restitution of the ordnance, thirty-nine pieces, which were in the English ports when they were taken. 4. That the negroes belonging to the English who were not permitted to choose their masters may be brought to do it, the number taken by the French being 2,300. 5. That the English fugitive negroes be restored by the French. 6. Restitution of the sovereignty of the English over their part of the Island as it was before 1665, particularly in regard to the Salt Ponds. 7. Satisfaction for damage received through the obstruction of free transport from one English part of the Island to another. 8. Satisfaction for receiving barbarous Indians and goods stolen by them from the English. *Copy. 2 pp. Undated.*

522. II. Copy of Order in Council of January 8, 1676, with the Report of the Lords of December 23, 1675 (*see a previous volume of this Calendar*). 3½ *pp. Endorsed.* Recd. 22 Dec. 1685.

522. III. Copy of Minutes of a Conference of the Commissioners of the Treaty of Neutrality in the West Indies. Describing the rupture of negotiations. *Dated* 18 October 1679. 2 *pp. Endorsed.* Recd. 22 Dec. 1685.

522. IV. Copy of Order in Council of 9 March 1679-80, directing Sir William Stapleton to prosecute his claims for restitution of the Salt Ponds and other districts (*see previous volume*). 1½ *pp. Endorsed.*

522. V. Copy of the Treaty of Neutrality agreed on between the French and English in St. Christopher's. 6 *pp.* Latin. [*Col. Papers, Vol. LVI., Nos.* 128 I.-IV.]

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523. Memorial concerning the French in the West Indies. That they constantly seize British ships that come to wood and water on their coasts or are driven into bays when plying to windward. This is proved by a letter from the Chevalier de St. Laurens, wherein he alleges this to be the King's order. Several privateers, pretending French Commissions even in time of peace, continue to annoy British ships and have lately seized several. The privateers are encouraged hereto by their not being compelled to give security in their commission-ports as the treaties direct. [*Col. Entry Bk., Vol. XXXI., p.* 125.]

524. Memorandum, headed, "Concerning saltpetre." Antigua has afforded great quantities. Saltpetre has been made in Jamaica as an experiment, but in no quantity; it would probably be too expensive to be profitable. The same may be said of New England, though in several small Islands on the coast there are great quantities of dung, a foot thick, from which great quantities of saltpetre may be raised at little charge. Inland also in places where pigeons generally frequent great quantities of saltpetre may be extracted from the soil. *Undated and unsigned.* 1 *p.* [*Col. Papers, Vol. LVI., No.* 129.]

525. Memorandum. As to certain merchants, who have adventured their estates with a person who knows the South Sea "on the back side" of America, and sees prospects of trade with Chili, but would be glad to know that such venture would not incur the King's displeasure. 1 *p. Undated and unsigned.* [*Col. Papers, Vol. LVI., No.* 130.]

526. Orders of Governor Sir William Stapleton in Council. Against inveigling of women-servants; ordering candle and lanthorn in lieu of torches to be used in the vicinity of cane fields or other combustible matter; fixing the breadth of common paths; respecting servants sold by indenture or otherwise; against washing in cisterns, ponds, &c.; as to serving of executions by the Marshal; against demolition of fortifications; to regular repair of arms by smiths; against poisoning ponds. [*Col. Entry Bk., Vol. XLVIII., pp.* 59-63.]

[Dec. ?] **527.** Abstract of depositions transmitted by Governor Cony. 6 *pp.* [*Col. Papers, Vol. LVI., No.* 131.]

528. The Council of Virginia to the King. Asking for repeal of the Acts for disbanding soldiers, and for raising other troops in their stead; also of the Act repealing Act 9 of 1664. *Undated.* [*Col. Entry Bk., Vol. LXXXII., pp.* 314-315.]

529. Account of pirates' goods returned by the executors of Sir Thomas Lynch; with the objections raised to the same by Roger Elletson. *In parallel columns.* The executors make the total 1,197*l*; Elletson makes it 1,767*l*. 3 *pp. Endorsed.* [*Col. Papers., Vol. LVI., No.* 132.]

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530. Abstract of papers transmitted by Lord Baltimore as to the boundaries of Maryland, Pennsylvania, and New Castle. 1 *p.* *Undated.* [*Col. Papers, Vol. LVI., No.* 133.]

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Jan. 2. **531.** Attestation: that James Smailes, of the ship Bachelor's Adventure, voluntarily broke bulk and delivered to Richard Phillips part of the cargo without force or compulsion of any kind. *Signed,* Richd. Cony, Jno. Bee. *Scrap. Endorsed.* Recd. 10 May 86. [*Col. Papers, Vol. LVII., No.* 1.]

Jan. 3. Bermuda. **532.** Captain Bartholomew Sharpe to the Earl of Sunderland. I have been driven into this harbour by want of provisions. The Island affords plenty enough, yet I cannot be accommodated for our money, though I have the King's commission, unless we side with the peers of the land, as about twelve of the principal men pretend to call themselves, against the King and Governor. They affront them daily and impudently to such a degree that I should think myself a traitor if I did not seek out means whereby the King may become acquainted, and this most loyal Governor assisted with power suitable to his desire to serve his prince, for which they owe him a mortal hatred. *Holograph.* 1 *p. Signed,* Bartholomew Sharpe, comr. of the Josiah frigate. *Signed also by,* Paul Abney Letnt., Thomas Walley Mastr, John England Commander of the Frances brig. *Endorsed.* Recd. 2 Mar. 85-6. [*Col. Papers, Vol. LVII., No.* 2.]

Jan. 3. Bermuda. **533.** Governor Richard Cony to Lords of Trade and Plantations. *The first five pages of this letter are a duplicate of a letter of* 8 *October* (*see No.* 396), *after which the letter continues:* In October last the Deputy Sheriff came to me with William Peniston, George Bascom, William Keele and others to ask me to permit the country to send its tobacco to Barbados or elsewhere to buy arms and ammunition for the militia to defend their country, having no money wherewith to buy, and that meanwhile I would permit them out of the magazine. They then demanded of me the keys of the magazine and the great guns before my door, saying that they were bought with the country's

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money and belonged to the country. As a matter of fact the country has no right to them, as they were taken off wrecks many years since. They then affirmed that the trust of the magazine was in the Deputy Sheriff and not in me. The Deputy Sheriff went on to say that he was also Treasurer, and that I ought not to choose any one for that office. He then read a pass, and said that in virtue thereof he was empowered to dispose of Crown-lands and all the King's revenues, stores and concerns here. After several contests he and his company at length departed, but all of them except the Sheriff returned two hours later. What passed between us is enclosed. It happened to be at the time when news reached us of a great army raised by the Duke of Monmouth and of the defeat of the King's forces. It was whispered about the country that now or never was the time, that the Duke was rightful king and no papist, and that the Pope was the whore of Babylon and drunk with the blood of the saints, and much more such stuff. I ordered all officers to keep a strict guard against a rising, for in Cromwell's time they were at that game, and one of the ringleaders was Richard Stafford. The Sheriff, Bascom and Lea, disposed of two shares of Crown land to Mr. Vaughan and Mr. Fowlls, an Independent minister, for their preaching. I have counter-ordered this grant, but I question if I shall be obeyed. The Sheriff has many relatives in the Island, so his private friends will be served and he himself a secret gainer. Mr. Bond is a secret enemy to this country, and I know not what to do with him. It is vain to imprison him, for the whole country are his friends. I daily wish for the King's orders or for redress; meanwhile I am constrained to be passive for fear of mutiny. Doubtless they intended to have seized the ports, great guns and magazine had not the news arrived of the Duke of Monmouth's imprisonment. I believe Mr. Bond and Mr. Vaughan had some foreknowledge of the late troubles in England. When I arrived here Vaughan professed himself of the Church of England, and read Divine service accordingly. Before I came he did not; but after my coming he told me that his conscience bade him conform. He would not administer the Sacrament because he was not in high orders, and he told me his one object in going to England was to obtain orders; then if he could not live by the ministry he would turn merchant. A letter arrived addressed to the first clergyman in Bermuda, sent apparently by the Bishop of London. None would receive it except old Wiliam Righton, once a preacher, now turned lawyer, by trade a tailor, and for many years servant to Hugh Peters. I could not allow him to open it. When Vaughan returned from England we expected the Prayer-book and the Sacrament of the Lord's Supper. Few of the people knew what it is except by hearsay. But he flung off his canonical gown, and after a chapter read by a silly clerk and a psalm irreverently sung, stepped into the pulpit. The parish is so much troubled at it that few or none will contribute their benevolence, which he hoped would have far exceeded the two shares of land formerly allowed him by the Company.

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Neither the Sheriff nor the country will give me any account of Crown-lands, whale-fishing or the King's shares. They obstruct all settlement of the country and prefer to live in their accustomed way of confusion, disorder and cheating. About six weeks since Captain Bartholomew Sharpe came into St. George's harbour with a commission from Sir W. Stapleton. He brought no prize, only a few Indians which he offered for sale. He carries ten guns, eight patararoes and a hundred men. I could not persuade the people to send their address to the King, after I had told them the errors in the paper that they had drawn up, but would have had me sign that. Richard Stafford told me that my Commission was a patent and ought therefore to be exposed for every man to take a copy. I suspect Bond to be the author of this point in law. So they are nibbling at my Commission as they were at the late Company's patent. Some of the justices of the peace questioned my authority to call Courts. I beg that you will call Captain Bee, commander of the magazine-ship, before you, to declare how the people have behaved during his nine months' stay among them. I have also received a petition for powder, which I enclose. They will not buy it, but expect the King to provide it, yet they use all inventions to defraud the King's customs, led by the example of the Under-Sheriff. I suppose they wish the forts and castles to be unfurnished. I know well that two pounds of powder is enough for a miltia-soldier's stock for one year. If the Island were attacked it would be taken before that quantity had been fired by every soldier. Ever since my Commission came I had bidden them buy their powder; they want neither money nor opportunity. Vaughan treats the Crown-land granted to him for preaching as his own, under pretence of arrears due to him from the Company.

I sent part of this letter by Captain Christopher Potter of the pink John and Samuel. After leaving the harbour he caught up two of my household slaves, who were fishing, and carried them off. I beg that Potter may be enquired after and the slaves seized, for they are the King's. Now I have none but old slaves left; the two stolen were all that I could expect labour from. So far I have not settled any Court of Judicature. I have had enough to do to keep the country from downright rebellion, nor have I dared to call a General Sessions till I have the King's orders. It would do little good, and we could not expect an honest jury. About two months since I called a Court to decide a difference between the master of a vessel and his merchant. The cause went on the merchant's side, and the master doubting that he should be cast, by old Righton's instigation, as is supposed, disowned the Court. His vessel is seized in execution and himself imprisoned, and the master, disappointed of his voyage, is forced to remain here with his cargo. The master, whose name is James Smailes, hoisted his colours reversed on hearing of the Duke of Monmouth's defeat, though his vessel was then riding before my door. This animated the fanatic faction greatly. The country is too full of inhabitants, there is not land nor employment for such a multitude, so the country is pestered with thieves and idle persons. I beg to suggest that no man in the

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Island be allowed to keep more than ten slaves. They are so numerous as to be a danger, and ten slaves will do the work of any freeholder in the country. I suggest also that Captain Bee or some other be employed to every year to transport our tobacco to England. This will be a great security for the King's Customs against fraud, for now that the Company is dissolved, no magazine-ships will be sent by them, which is just what the inhabitants desired, that they may have the better excuse to ship their produce to neighbouring Colonies and so to foreign countries, which is still their practice. There should also be a commission to search for and seize all smuggled tobacco or prohibited goods such as timber, for the timber of the Island is destroyed for want of it. Also there should be power to deport offenders to England and to prohibit exportation in another bottom. This Captain John Bee has been several times employed by the Company, and understands the people well. He is a loyal and honest and will look to the King's interest. Another French vessel has been lately stranded here and became a prey to the people. She was fired for the sake of her iron. The culprit is suspected, but I cannot obtain sufficient evidence against him, for the people are all akin by consanguinity and villainy. The principal person in the vessel, Mons. Nouart, intends to apply to you for redress. I have enclosed an account of the business to Lord Sunderland. Vaughan has been threatening some of the King's tenants that he will buy their land, and that is one of his chief errands to England. The selling of the inhabitants' land by the Company was the principal ground of the quarrel between them. It is the great aim of the people to buy all the Crown lands, if the King will sell them, which I conceive would be very prejudicial. So long as they are tenants they can be in some measure awed. *Signed,* Richd. Cony. *Holograph.* $8\frac{1}{2}$ *very closely written pages. Endorsed.* Recd. 2 March 1685-6. *Enclosed,*

533. I. Attestation of Francis Tucker, as to the demand of the magazine and other matters by Deputy Sheriff John Hubbard. 2 *pp. Endorsed.* Recd. 2 March, 85-6.

533. II. Letter from Nicholas Thornton to Richard Cony. Testifying to the civil behaviour of Captain Sharpe's men. *Inscribed* by Governor Cony. This is the evidence concerning Captain Sharpe's men's deportment when I sent them to bring down William Righton's vessel. 1 *p. Endorsed.* Recd. 2 March 85-6.

533. III. Attestation of Peter Dick and others that James Smailes hoisted his colours reversed when he heard of the Duke of Monmouth's defeat. 1 *p. Endorsed.* Recd. 2 March 85-6.

533. IV. Memorial of the goods on board the French ship stranded in Bermuda. *French.* 2 *pp.* Endorsed as the foregoing. 2 *pp.*

533. V. Copy of charges against Governor Cony with his answers. 2 *pp. Endorsed as the foregoing.* [*Col. Papers, Vol. LVII., Nos.* 3, 3 I.-IV., *and* (*letter only*) *Col. Entry Bk., Vol. XVII., pp.* 185-192.]

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Jan. 3. **534.** Duplicate of the despatch above abstracted. 9 *pp. Holograph by Governor Cony. Endorsed.* Recd. 2 March. [*Col. Papers, Vol. LVII., No.* 4.]

Jan. 3. **535.** Abstract of the same despatch in two parts, dated 8 October and 3 January. *The whole* 4½ *pp. Endorsed.* [*Col. Papers, Vol. LVII., No.* 5.]

Jan. 3. **536.** Extract of the same despatch. The paragraph refering to Christopher Potter. *Copy.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVII., No.* 6.]

Jan. 4. **537.** Minutes of the Council of Barbados. The Assembly was summoned, the King's letter of 10 October 1685 concerning transported rebels read, and a bill recommended to them. The Lieutenant-Governor recommended the appointment of Stephen Gascoyne to be treasurer of the Island. A Bill touching transported rebels passed the Council and was sent to the Assembly. The Assembly brought up a Bill for the appointment of Treasurer, which was passed by the Council. Colonel Gascoyne to give £4,000 security in taking the office. Acts appointing a committee to settle the public accounts and to deal with convicted rebels passed. Adjourned to 19th instant. [*Col. Entry Bk., Vol. XI., pp.* 669-670.]

Jan. 4. **538.** Journal of Assembly of Barbados. John Reid elected Speaker, and Stephen Gascoyne Treasurer. John Reid, Paul Lyte, Abel Allen and John Davies appointed a Committee of Public Accounts. A Bill to constitute them passed. Adjourned to 16 March. [*Col. Entry Bk., Vol. XIV., pp.* 144-145.]

Jan. 5. **539.** Minutes of Council and Assembly of Antigua. Message of the Assembly to the Governor and Council. We think the Act for raising public stock sufficient till 25 March next. We beg the Treasurer to proceed at once to the recovery of arrears. We approve of the Act sent us. Answer of the Governor and Council. We are surprised that you say nothing of amendment of the Act. We send it back to you for review. It was of your proposing, and we expect you to amend it. [*Col. Papers, Vol. LVII., No.* 49.]

Jan. 8. Barbados. **540.** Lieutenant-Governor Stede to Lords of Trade and Plantations. Sickness and bad weather have been very prevalent, and we have lost many from small-pox and violent fevers. I have therefore been obliged to adjourn the Council from time to time, the members in the country being afraid to come to town, and have only just been able to get a full Council to which to communicate the King's instructions. We have already passed the Act required respecting transported rebels, which I hope will meet with approval. The first shipload of them has arrived, and I send an account of the people to whom they have been assigned. A second shipload does not agree with the list sent to me. These are not yet all disposed of, so I cannot give you a full account of their masters by this ship. I shall give you a fuller account of the affairs of the Island when improved health and weather permit

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me. I learn from Captain St. Loe of H.M.S. Dartmouth, that the French begin to make settlements, build houses and inhabit on St. Lucia, an Island belonging to the King, and included in my Commission. The French settlers assert that they are there under the French King, who is the lawful owner of the Island. Pray obtain for me the King's orders. *Signed*, Edwyn Stede. *Holograph.* $2\frac{1}{2}$ *pp. Endorsed.* Recd. 11 March 1685-6. *Enclosed*,

540. I. A list of the prisoners from Exeter, Wells and Dorchester Gaols, being a copy taken from the original warrant, 9 Jan. 1685-6. Attestation by John Whetstone, Deputy Secretary. *Endorsed.* Recd. from Barbados 11 March 1685-6.

540. II. A fresh list of the same prisoners, being the first ship's load that arrived in Barbados. *Dated. Certified and Endorsed as the foregoing. Large sheet.*

540. III. A table showing the disposal of the same prisoners to their masters in Barbados. One master has as many as seven. *Dated, Certified, and Endorsed as the foregoing.*

540. IV. A list of the shipload that was not in accordance with the warrant of the Lord Chief Justice. *Dated, Certified, and Endorsed as the foregoing.* [*Col. Papers, Vol. LVII., Nos.* 7-7 I.-IV., *and* (*without enclosures*) *Col. Entry Bk., Vol. VII., pp.* 358-360.]

Jan. 8.
Barbados.

541. Deputy-Governor Stede to the Earl of Sunderland. The French have been sending people to St. Lucia from Martinique and from other of their settlements. I asked Captain St. Loe of the Dartmouth, to call there on his way to Nevis and make enquiries. He writes me that he landed there, and was very civilly received by four white and seven black men, who however claimed the Island on behalf of the French King. Pray obtain for me instructions. The French hold so good a correspondence with the Carib Indians that they are never disturbed wherever they go, and it is they, I presume, who make the Caribs so fierce against the English, for if we send to cut wood in St. Lucia, or the Islands near, we are obliged to guard our labourers, or they would be cut off. The French need never be at this pains; it is thought that they set them to annoy the English by reminding them of the Dominica wars of Colonel Warner and Sir William Stapleton. We have passed an Act for the transported rebels (*repeats substance of preceding letter*). *Holograph. Signed*, Edwyn Stede. 4 *pp. Endorsed.* Read at the Committee of Foreign Affairs. March 17 1685-6. [*Col. Papers, Vol. LVII., No.* 8, *and Col. Entry Bk., Vol. VII., pp.* 360-362.]

[Jan. 8.]

542. Petition of John Daniel to Lords of Trade and Plantations. I was a Chief Judge of a Court of Common Pleas. A complaint was brought before me against Sir Timothy Thornhill for profane language. He being a member of the Council, I thought it my duty to acquaint Governor Sir Richard Dutton. Sir Richard first blamed me for not bringing witnesses to prove it, which I presently did, but he seemed to neglect the matter (for Sir Timothy had found means to be much devoted to him) and forthwith, with-

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out any cause assigned except the matter aforesaid, struck me off the Commission of the Peace, and appointed a new judge of Common Pleas in my place. Thus he punished me instead of Sir Timothy, whom he appointed Major-General of the forces in the Colony, an office which a little before he had declared to be unnecessary and useless. I beg redress. 1½ *pp. Endorsed.* Recd. 8 Jan. 1685-6. Read at the Committee 23 Mar. *Annexed,*

542. I. Deposition of John Daniel, to the same purport as the petition. Sworn before William Chester. 8 August 1685. 1 *p.*

542. II. Copy of John Daniel's letter to Sir Richard Dutton making complaint against Sir Timothy Thornhill. 1 *p.*

542. III. Deposition of Honoria Savery as to the language used by Sir Timothy Thornhill. ½ *p.*

542. IV. Deposition of Elizabeth Brooking, to same effect. ½ *p.*

542. V. Deposition of Dorothy Green, to same effect. *Scrap.*

542. VI. Deposition of Francis Brooking, to same effect. *Scrap.*

542. VII. Deposition of Lieut.-Colonel Thomas Helme, to same effect. *Scrap.* [*Col. Papers, Vol. LVII., Nos.* 9, 9 I.-VII., *and abstracted in Col. Entry Bk., Vol. VII., p.* 370.]

Jan. 12. **543.** Minutes of Council of Jamaica. In consequence of lack of funds the military parties serving against the negroes were discharged. Order for every parish to provide for its own security by its own party or guard. Order for payment of £31 4*s.* 0*d.* to T. Jennings for hire of his sloop. The petition of William Peartree for consideration on account of a wound received while pursuing the rebellious negroes. He was referred to the Justices and Vestry of St. Dorothy's and St. Thomas in the Vale. [*Col. Entry Bk., Vol. XXXVI., pp.* 103-104.]

Jan. 16. **544.** Journal of Lords of Trade and Plantations. Lord Howard's letter of 13th November read (*see No.* 459) together with an address from the Assembly of Virginia, concerning the tax on tobacco in England. The address referred to the Lord Treasurer.

Draft of a reply to the answer from the French Court concerning the English fishery on the coast of Acadia read, and reserved for further consideration.

On the business of Bermuda the Lords agree to advise the continuance of Colonel Cony as Governor till further order, and the transmission of a Commission and instructions to him. [*Col. Entry Bk., Vol. CVIII., pp.* 242-243.]

[Jan. 16.] **545.** Answer of the French concerning the fishery of Acadia. The coast of Acadia, which extends from the Isle Persée to the Isle de St. Georges, belonged to the French till 1664, when it was taken by the English and restored by the Treaty of Breda in 1667. The French have, therefore, the titles of first occupation, long possession and a treaty of peace. But the English finding greater facilities there than in New England, continued to fish in French ports, with and without permission, until French trade was much interrupted. In December 1683 the French King gave Sieur Bergier and his company a patent to establish a fishing station on this coast, which company, in 1684, issued a prohibition to foreign vessels to enter within its juridiction on pain of confiscation. In spite of the publication of this the English vessels continued to come there until Sieur Bergier in August 1684, seized eight of them, took away their fish and furs and carried the masters before the authorities in France. Two of these were found to have permits. These were discharged, and orders given for the restitution of their ships. The rest were confiscated. *Copy, French.* 2 *pp. Endorsed.* Recd. Jan. 16 1685-6. [*Col. Papers, Vol. LVII., No.* 10, *and, with a translation, Col. Entry Bk., Vol. LXI., pp.* 296-299.]

Jan. 16. Council Chamber. **546.** William Blathwayt to Henry Guy. Forwarding the address from the Assembly of Virginia concerning the tax on tobacco to the Lord Treasurer for report (*see No.* 458). [*Col. Entry Bk., Vol. LXVIII., p.* 79.]

Jan. 16. **547.** Minutes of Council of Assembly of Nevis. Agreed that the Governor's expenses in government be defrayed. [*Col. Papers, Vol. LVI., No.* 43.]

Jan. 16. Jamaica. **548.** Lieutenant-Governor Molesworth to William Blathwayt. As soon as Captain Stanley could refit after his return from the wreck, I sent him to Havana to ask for the release of Captain Chandler and about forty others, who have been taken at various times on the Coast of Cuba. The account that I formerly gave you of Chandler's capture was incorrect, and only of late have his letters arrived, which occasioned the despatch of Captain Stanley. I enclose copy of my instructions to Stanley, and of my letter to the Governor of Havana [*wanting*]. Porcio's factor, Saint Jago de Castillo, having answered roundly to the Bill in Chancery brought against him by Coyman's factors, has commenced a vexatious action against one of them, Alexander Olivero, for scandal, setting his damages at £10,000. Being sensible that this was done only to discourage him from his duty and to weary him of carrying on the affairs of the Assiento in the Island, I granted Olivero a *supersedeas* and discharged him from the action, believing from private information that the Spanish King's letters in favour of Coyman were approved of by their Lordships. I doubt not but that there will soon be occasion to send Castillo to account for his management of the Assiento before a proper tribunal. The Spanish Ministers both at Panama and Carthagena press me to do so, but as his accounts show the Assiento to be in his debt I have no power. When proofs arrive to charge him with certain defalcations, the case will be altered. Castillo relies, in his opposition to the King of Spain's Minister, upon his letters of naturalisation which were granted to him at a time when he was frequently disturbed in his business as factor to the Assiento, but as he has not complied with the conditions of the Act, namely, that he should settle and plant, I informed his counsel that he could claim greater benefits than were granted by the King him-

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self, viz., liberty to trade, not exemption from responsibility for the revenue that passes through his hands. I beg for full instructions on these points.

Captain John Coxon, a notorious privateer, who took advantage of a clause in the Act for restraining and persuading pirates, to return to the honest life, became weary of it and reverted to piracy, has wearied again of that and returned here. His bond for good behaviour, when required, could not be found, but I have evidence against him and have ordered him to be apprehended. The place of trial will be St. Jago de la Vega, where there will be fewer sympathisers among the jury.

A large ship of the Assiento has lain here for fourteen months waiting for a cargo of negroes. She is now ordered to load for Puerto Velo with six hundred only, rather than lose the favourable time, and if she cannot obtain that number here to sail for Curaçoa. Unfortunately these orders arrived when we were wholly unfurnished with negroes, and the ship was just starting for Curaçoa, to the great discredit of this Island, when two of the African Company's ships arrived with five hundred negroes, which, with a few in the country, sufficed to make up the required number. Considering the importance of the occasion I agreed to provide a convoy, and Captain Mitchell will receive orders at the same time for the arrest of Bannister, whom he is as likely to encounter on this voyage as on any other. The Assiento borrowed the money for payment for these negroes at 35 per cent. It is creditable to the Island that so much ready money could be obtained, and the return of it in pieces-of-eight will be for the common good. I shall send copy of my instructions to Captain Mitchell by next ship. I now send copy of my letter to the Governor of Merida respecting English prisoners. Recd. April 21 1686. [*Col. Entry Bk., Vol. XXXI. pp.* 128-139.]

Jan. 17. Jamaica. **549.** Lieutenant-Governor Molesworth to William Blathwayt. Though I have written at length already (*see No.* 548), I must acquaint you with some proposals made to me by Captain Simon Musgrave and others for the erection of a cotton manufacture in this Island. The result would be to further the settling, improving and strengthening of Jamaica by the addition of many small plantations, and to find employment for many of the lower sort of people who would otherwise seek a livelihood by privateering in this Island. For the encouragement of the undertaking, they beg that the King will grant to the undertakers, 1. The monopoly of all cotton manufacture in the Island for a term of years, being a new invention there. 2. The Royal assent to an Act to compel burying in cotton in Jamaica, as in the like case for burying in woollen in England. 3. The imposition by the same Act of a duty on all cotton yarn and cotton manufacture imported. I beg for instructions. [*Col. Entry Bk., Vol. XXXI., pp.* 139-140.]

Jan. 18. **550.** Sir Richard Dutton to Lords of Trade and Plantations. I have perused the petitions of Goldingham and Lane. (*See No.* 494 I.) I know nothing of it except that the indictment

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was preferred by the Attorney General at Grand Sessions, and the fines set by the same Court, but that I have given no orders nor interposed in any way. *Signed*, Ri. Dutton. *Holograph*, ½ *p. Endorsed.* Recd. 21 Jan. Recd. 8 Mar. 1685-6. [*Col. Papers, Vol. LVII., No.* 11, *and Col. Entry Bk., Vol. VII., p.* 355.]

Jan. 19. **551.** Minutes of Council of Barbados. The Lieutenant-Governor informed the Council that he had lately inspected the fortifications and found them much decayed. Commissioners were appointed in each division to superintend the repair thereof. Order for £300 to be placed in the Lieutenant-Governor's hands for emergencies, he having already spent part of that sum out of his own pocket. Order for payment of two years' salary due to Francis Chamberlayne, gunner. [*Col. Entry Bk., Vol. XI. pp.* 673-674.]

Jan. 21. Bermuda. **552.** Governor Richard Cony to the Earl of Sunderland. Five days after the departure of the magazine-ship, the enclosed was sent me by the subscribers. Had they sent it to me before she sailed, I should have answered more fully. It is their usual way to accuse their Governors, but not let them know what their crimes are before they have sent them to Court. They think that their false story will be accepted by the King or Privy Council, boasting that they were believed against a Company, so why not against a Governor? They assure themselves that Mr. John Tucker and Mr. Burghill will not fail them. Mr. Vaughan boasts that he has engaged them in a quarrel against me. I have replied to it as well as time would permit, but I was surprised to receive such a letter. *Signed*, Richd. Cony. P.S. The people publicly confess that they have nothing to say against Capt. Sharpe, but would shoot me through him. I have formerly been offered £500 not to enquire into public lands, slaves, and other questions, but as I do my duty they are disgusted. They themselves are the chief obstacles to their own happiness. I heartily wish that Richard Stafford and Bond were both before you. *Holograph.* 1 *p. Endorsed.* Recd. 18 Apr. 86. *Enclosed*,

552. I. The inhabitants of Bermuda to Governor Cony. We beg you neither to do nor suffer the things following. (1.) That no man may be deprived of his property without legal trial. (2.) That no man be imprisoned without crime or advice of counsel. (3.) That no more armed men be sent into the country to rob people under pretence of exercising authority. (4.) That our vessels when they have paid their duties may not be hindered from proceeding on their way. (5.) That powder money and public rents may not be turned to private ends. (6.) That officers established during the late reign may be continued, not supplanted by less capable men. (7.) That our Captains of forts and companies may not be refused powder, nor the country refused leave to sell its produce to buy ammunition. (8.) That we may no longer be compelled to pay uncertain fees, nor (9) denied our old privilege that the Governor and Council

shall sit together and determine causes by the majority of votes. (10.) That we may not be represented as rebels and traitors. We offer these things not to offend you, but beg you to rectify them. We beg you enquire by what authority Captain Bartholomew Sharpe, who took Campeachy from the Spaniards, is entertained here and commits unwarrantable acts. *Thirty-eight signatures, against some of which Governor has written notes.* Henry Durham. *Note.* This Durham is a native, and was Governor when I came here. Francis Dickinson. *Note.* The person supposed to have fired the stranded French vessel. Christopher Burrows. *Note.* The man who with a dozen more drew his sword on me and assaulted me. *Copy. 2 pp. Certified by* John Hubbard, Deputy Sheriff. *Endorsed,* Recd. 19 May 86.

552. II. A rough draft of the foregoing with half of it struck out. *Inscribed.* This is Richard Stafford's own handwriting as is affirmed to me. *Signed,* Richard Cony.

552. III. Governor Cony's reply to the inhabitants of Bermuda (*see No.* I). (1.) I never went about it. (2.) I never did. (3.) This reflects on my sending Captain Sharpe's men to bring down Righton's vessel. When I send the townsmen on such errands the country rises against them, and disarms them. Sharpe's men behaved civilly, as Captain Bee can evidence. (4.) I never do interfere except when I know them to be about to defraud the King's customs. (5.) I am not a private man in Bermuda, and I apply the money to the King's service. (6.) I have displeased only Keel and Bascom, who never had a commission from me, and have been grossly insubordinate. (7.) I am unwilling to waste public stores, and have strong cause to suspect Keel and Bascom of fraud. (8.) I take no fees, nor ever have, except for a sea-brief five shillings, and for a warrant one shilling. If they want a warrant for nothing they can go to the next justice of the peace. They would have me be troubled with their impertinences gratis. (9.) I know my Council too well. (10.) I have never called them rebels and traitors, though they frequently call me a traitor. As to Sharpe, he has Sir William Stapleton's commission. If he has gone beyond it, it is more than I know, or any Bermudian knows. They encouraged a proclaimed pirate because he bought three or four thousand pounds' worth of goods; Sharpe has only money to pay for provisions for his men, so they will sell him none. All their spite against Sharpe is because I asked him to bring down old Righton's vessel. His men have behaved very well. Though the Deputy Sheriff's name is not among the signatures, yet he is one of the chief of the cabal. I wish that we had an honester man for the place, as well as an abler secretary. The malignity of the people is shown by the date of their letter. It is dated the 1st Jan., but it did not reach

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me until four days after Capt. Bee sailed for England, that is to say, not until the 11th. I met with this conveyance accidentally. *Here follow brief biographies of a few of the signatories. See Governor Cony's notes to No. 1. The whole, four closely written pages. Endorsed,* Recd. 18 April 86.

552. IV. Journal of the French ketch stranded at Bermuda, giving an account of the plundering of her. The ship was undamaged by the stranding. List of the cargo. *Signed,* J. Bargeau. Sworn before Governor Cony. 20 Jan. 1686. *French.* 4 *pp.* [*Col. Papers, Vol. LVII., Nos.* 12, 12 I.-v.]

Jan. 22. Whitehall. **553.** Order of the King in Council. Report of Lords of Trade and Plantations recommending that Colonel Cony continue as Governor in Bermuda for the present, and receive the Royal Commission and instructions. *Dated* 16 January 1685-6. Ordered accordingly. *Signed,* Phi. Lloyd. 1 *p.* [*Col. Papers, Vol. LVII., No.* 13, *and Col. Entry Bk., Vol. XVII., pp.* 182, 183.]

Jan. 22. Nevis. **554.** The Deputy-Governor of Nevis to Lords of Trade and Plantations. H.M.S. Dartmouth arrived here on 5 December last with orders to look out for an interloper and to assist the Agent of the Royal African Company. I have given Captain St. Loe all the help in my power, and have despatched him to cruise again in search of interlopers. *Signed,* Wm. Burt. Read in Council, 26 March 1686. [*Col. Entry Bk., Vol. XLVII., p.* 197.]

Jan. 22. Nevis. **555.** The same to the same. Your orders of 29 April 1685 have been duly received and distributed. I shall obey your orders as to confiscation of foreign or unfree vessels trading hither as I have done. *Signed,* Wm. Burt. Recd in Council, 26 March 1686. [*Col. Entry Bk., Vol. XLVII., p.* 198.]

Jan. 26. **556.** Minutes of Council and Assembly of Nevis. The Assembly concurred in the Council's proposal to confirm the laws sent home to the King till his further orders. [*Col. Papers, Vol. LVI., No.* 43.]

Jan. 29. **557.** Minutes of Council and Assembly of Nevis. Proposed by the Assembly (1) that no persons buy for sale any parcel of provisions till the importer has been on the Island eight days; (2) that any negro abusing or threatening any person be punished by thirty lashes at the whipping post, that any slave striking or throwing anything at a white person lose his hand; (3) that any negro stealing from one to three hundred pounds of sugar in value shall suffer for the first offence loss of one ear, for the second loss of the other ear or sixty lashes, and for the third death; (4) that any person compounding to conceal or make satisfaction for the above offences be fined a thousand pounds of sugar; (5) that any masters or mistresses permitting a tumult of their slaves without endeavouring to suppress it be fined two thousand pounds of sugar, any slave disobeying the same shall receive

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thirty lashes. The Council concurred with the Assembly in granting 100,000 lbs. of sugar to William Burt to defray the ordinary expenses of government. [*Col. Papers, Vol. LVI., No.* 43.]

[Jan.] **558.** Memorial to the French Ambassador concerning the French in the West Indies. The Governor of Jamaica complains that the French continually seize the ships of English subjects, whether they come into French ports in the West Indies to wood and water, or whether driven thither by stress of weather. The fact is confirmed by a letter from the Chevalier St. Laurens, who shows an order from the French King to confiscate all vessels anchoring in French ports. Several privateers also, pretending French commissions, even in time of peace continue to harass English traders, being encouraged by their not being obliged to give security in their commission-port as the European treaties direct. 1 *p.* [*Col. Entry Bk., Vol. XXXI., pp.* 125-126.]

Feb. 1.
Custom House.

559. Commissioners of Customs to Lords of Trade and Plantations. We have considered the address of the Assembly of Virginia touching the new imposition on tobacco. There is nothing therein that we have not heard before from the merchants, and we believe that the mischief to the planters arises rather from the abundant quantity of tobacco than the imposition. As in the case of sugar, we think it inadvisable to make an alteration of the duties as they now stand until after at least a year's experience. *Signed*, D. North, Ch. Cheyne, Jn. Werden, W. Dickinson, T. Chudleigh. *Enclosed*,

559. I. A copy of the address (*see No.* 458). [*Col. Papers, Vol. LVII., No.* 14, 14 I., *and Col. Entry Bk., Vol. LXXXIII., pp.* 109-110.]

Feb. 2. **560.** Minutes of Council of Jamaica. This meeting was called to advise as to the means of suppressing the rebel negroes who are now more formidable than ever before. On the advice of the Governor, it was ordered that twelve parties be forthwith raised out of the several regiments, each of eighteen men with suitable officers, that those guilty of neglect of duty should be called to serious account, that petty offences should be punishable by officers commanding parties, with other provision for discipline and quarters, that every party have a good gang of dogs, and be empowered to impress hunters and dogs. Every man killing a negro to have £20, or, if a servant, his freedom; every man taking a negro to have £40; any party killing a negro to divide £20 round; which rules should be heartily commended to the next Assembly for confirmation. Reginald Wilson produced his new Commission as Naval officer, and was sworn. [*Col. Entry Bk., Vol. XXXVI., pp.* 104-106.]

Feb. 3.
Barbados.

561. Lieutenant-Governor Stede to Lords of Trade and Plantations. I send you a list showing the disposal of the rebel prisoners brought in the second ship, and a list of those brought for Sir William Booth in the John frigate. I made strict enquiry if any supernumerary rebels had been brought out here privately

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without being subject to the ten years' servitude, and discovered one, Randolph Babington, brought in the John. I enclose his account of himself, and meanwhile have taken him into custody. I also enclose the deposition of one Daniel Manning, who was sent by the kidnappers from London with about twenty-three more to serve here or at Nevis for a term of four years only, as is usual in such cases. But only Manning had been in the rebel army, to which he says he was compelled, though he never had any arms, and that after two days' march he escaped to Colonel Kirk's regiment, was enlisted therein and discharged after the rout of the rebels, as his certificate from Captain St. John shows. He then went to London, where he was never known to have been in the rebel army, and was kidnapped and sent hither, as I have said. I send the indenture since it is not according to the appointed form, for want of which many are sent to the Colonies against their wills and contrary to the King's orders. I have spent a week in inspecting the forts, and find them to be very defective, chiefly owing to the neglect of my predecessor, but I have given the necessary orders for making good the defects. We want however forty cannon, which cannot be obtained here. I beg that they may be supplied from the stores of Ordnance. As soon as the small-pox abates, I hope to review the militia. *Signed*, Edwyn Stede. *Holograph.* 3 *pp.* *Endorsed*, Recd. 18 April 86. [*Col. Papers, Vol. LVII.*, *No.* 15, *and Col. Entry Bk.*, *Vol. VII.*, *pp.* 367-369.] *Annexed*,

561. I. The examination of Randolph Babington. Is a Londoner by birth, and kept a warehouse, but went to the West in July 1685 on business. While he was at Taunton the Duke of Monmouth arrived with his army, but examinant was only a spectator of that army. After the defeat of the rebels he was arrested and tried before Chief Justice Jeffreys, pleaded guilty, and was condemned, but was ultimately granted to Sir William Booth for Barbados. Having some money he stipulated with Sir William for £28 to go to Barbados as a free passenger, and to stay there as a free resident during his term of years, paying also the cost of his passage. On arrival he remained for nine or ten days unmolested, until apprehended by the Lieutenant-Governor's order. Taken before Edwyn Stede. 29 Jan. 1685-6. *Certified copy.* 1½ *pp.* *Endorsed*, Recd. 30 March 1686.

561. II. The examination of Daniel Manning. Was a blacksmith's apprentice near Taunton, and shod the cattle and horses of the Duke of Monmouth's army on their arrival. He was impressed to join the rebel army as a farrier, his master being willing that he should go. After two days he escaped, and joined the King's army between Glastonbury and Taunton, and enlisted in Captain St. John's Company of Kirk's regiment. He was with them until after the fight of King's Edge Moor but had no arms and took no part in it, being ordered to stay at Weston, with about sixty more that had no

arms, under charge of a sergeant. Shortly after the fight he was disbanded, and received a pass from his captain, when he returned to his old master near Taunton, who however refused to receive him for fear of getting into trouble. Examinant therefore went to London, where he was questioned whether he were not a fugitive rebel, he was cleared by his captain's certificate; but one day on Tower Hill he met with one who promised to get him employment if he would go four miles over the river, and made him sign (examinant being ill-treated) an indenture to serve in Barbados for four years. He was then shipped off with twenty-two more, none of whom to his knowledge had been in the rebel army. Taken before Edwyn Stede. 25 Jan. 1685-6. *Certified copy.* 2 *pp.* *Endorsed*, Recd. 30 Mar. 1686.

561. III. Indenture for the transportation of Daniel Manning to Barbados as a white servant by covenant with John Peirson. *Dated*, 20 September 1685. *Copy.* 1 *p.* *Endorsed*, Recd. 30 Mar. 1686.

561. IV. Certificate of seventy-seven rebels transported to Barbados by the John frigate, with the names of the masters to whom they were assigned. One master takes as many as fourteen. Certified by Edwyn Stede. 29 Jan. 1685-6. *Attested copy.* *Large sheet.* *Endorsed*, Recd. 30 Mar. 1686.

561. V. Similar certificate of seventy-two rebels transported in the ship Betty. Certified. 1 February 1685-6. *Attested copy.* *Endorsed as the preceding.* *Sheet.*

561. VI. List of ninety convicted rebels landed for Sir William Booth at Barbados from the John frigate. Certified. 28 January 1685-6. *Attested copy.* *Endorsed as the foregoing.* [*Col. Papers, Vol. LVII., Nos.* 15, 15 I.-VI.]

Feb. 3. **562.** Duplicate of foregoing despatch. *Signed*, Edwyn Stede. *Endorsed*, Recd. 30 March 1686. [*Col. Papers, Vol. LVII., No.* 16.]

Feb. 10. Virginia. **563.** Governor Lord Howard of Effingham to Lords of Trade and Plantations. I send the proceedings, I cannot say of the last sessions, but of the last meeting of the Assembly, for when after a tedious time matters were approaching a conclusion, a dispute arose between them and me, and I was forced to dismiss them before anything was perfected, unless I would have passed away the King's negative voice. Our method of proceeding is this. When the House of Burgesses have prepared any bills, they present them to the Governor and Council for consideration and amendment. The bills are then returned to the Burgesses, and by them again returned with a signification of their agreement to the amendments; they are then signed by the clerks of both houses as assented to, and returned to be fairly engrossed. The Burgesses presented to myself and the Council a bill appointing several ports and wharves, to what intent you will judge by the

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bill itself. Several amendments were made by the Council and myself, to which the Burgesses agreed, as their journal shows, excepting that they wished there to be one port in each county, whereas it was limited by the Council and myself to two in a river. We agreed to this, and ordered the clerk to sign the bill and the whole to be engrossed. But sending to the Burgesses for the bills to peruse them before they were publicly read, I found omitted in the Ports bill a material clause, providing for the establishment of fees for the payment of the collectors of dues. For some of these collectors had as many as five districts and property amounting to no more than fifty pounds a year, so that they could not have borne the expense of these offices. I believe that, on the bringing of the bill to me and the Council in the ordinary course, the omission might have passed unnoticed, for it was presumed that all alterations and amendments were fairly inserted. Indeed, my illness prevented me from making so careful an inspection as I had intended to make when the bills were fairly engrossed. On making this discovery, I told the Burgesses that the bill was not engrossed as it had been assented to by the Council. They replied that the bill could admit of no alteration after it had been attested as assented to by the Clerk of the Assembly, and that it had the force of law. I replied that this could not be so until the bill had been publicly signed by me as the King's representative. They persisted in their opinion, however, so I told them that even if a bill were assented to by me and the Council, yet I had power to refuse to sign it, if I perceived it to be objectionable, in virtue of the King's negative voice which had been entrusted to me. This they would not allow, though they admitted that I had a negative voice, asserting that as I had assented to the bill in Council I could not afterwards refuse to sign it. I sent them the clause in my instructions, but nothing would persuade them out of their obstinacy, though I offered to lay the bill aside till the King's pleasure were known, and to sign the others and that bill itself with the alteration as it was agreed on. I am conscious that I was too compliant and fear the King's displeasure for it, but I was anxious on behalf of the country. I knew that the levy could be easily paid as the crop of tobacco was good, and I wished the pay of the soldiers at the heads of the rivers, now two years in arrear, to be discharged. I hope therefore that I may be pardoned.

I confess that I am also to blame for admitting a bill of this kind at all, since a law of 1680 to the same end already exists. But in that Act many places are appointed which are inconvenient for trade, and there was no provision for the payment of collectors. I was severely angry with their clerk for daring to omit the clause. His only excuse was that he thought it did not come in properly, which aggravates his fault by his presumption. I sent to the Assembly to make an example of him, but they rather maintained him. So you will now perceive how advantageous it will be in future for the Clerk of the Assembly to be appointed by the Governor and paid out of the King's revenue here. The expense will be inconsiderable. I suggested this to you last spring, and beg that it may receive the King's sanction before the 20th October, to which date the Assembly is prorogued. I did not dissolve them for these reasons. If the King order them to be dissolved, the rebuke will, I hope, deter them from such peevish obstinacy in future. If, on the other hand, the King only signify his dislike of the proceedings, it might be applied to the persons actually responsible, which would have a like good effect. I could hardly expect good correspondence with this Assembly after their choice of Robert Beverley for their clerk. He is the same man who was so deeply implicated in the plant-cutting riots, but his outward expressions of sorrow were so hearty and sincere, and the Council's assurance of his good service in Bacon's rebellion was so strong that I favoured him, as I find, far more than he deserved. The journals will show you how unwillingly the Assembly yielded to the King's orders concerning quit-rents, and how obstinate they were over the appropriation of fines and forfeitures to the King's service instead of to the public use, and over the disbanding of the soldiers at the heads of the rivers. They preferred to bear the expense of them, which the country is ill able to do, than agree to pay any soldiers *pro rata*, as those are which I am empowered to raise with the assent of the Council for the safety of the country. This power was granted me by the last Assembly for three years, and because I would not part with it they laid that bill aside until the smart of their purses made them think better of it. You will see also that the Burgesses refused power to the Governor and Council to lay the least levy in order to ease the necessity of calling so frequent Assemblies. The cost of these Assemblies is harder on the people than the levy itself, and I am sure that the other course is desired by all the most reasonable of the inhabitants. I proposed this to them before the Royal instructions came to my hand, but even when reinforced by these, nothing would prevail with them nor I believe will prevail except the King's special command. They were peevishly refractory to the least proposition put forward by me for the King's or the country's service, as you will perceive by their refusal to add twenty-four men at the country's expense to the twenty-four whom I had thought of raising. Indeed, so many took liberty of speech over the Duke of Monmouth's rebellion, that I feared it would have produced the same effect here. However, we are now quiet. I put a stop to all that by proclamation, and made a few examples. Pray note also the exception the Assembly took to the small fee laid by order of the Court of Chancery for affixing the seal to all public instruments. This was done by the advice and assent of the Council, more for the honour and dignity of the King's seal than for anything else. The fee was not above ten shillings, five times less than in Maryland, and other Colonies. Besides a special clause in the instructions authorises me to keep and use the seal. I hope that I have not been unduly prolix, and that my action will be approved; unless a curb be soon put on these unruly tempers they will run too far. *Signed*, Effingham. *Holograph.* $5\frac{1}{2}$ *closely written pages. Endorsed with a full précis.* Recd. and read 21 April and 10 May 1686. [*Col. Papers, Vol. LVII., No.* 17, and *Col. Entry Bk., Vol. LXXXIII., pp.* 87-97.]

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Feb. 10. **564.** Duplicate of foregoing. *Holograph.* Recd. 1 July 1686. [*Col. Papers, Vol. LVII., No.* 18.]

Feb. 10. **565.** Abstract of the foregoing letter. 3 *pp. Endorsed.* [*Col. Papers, Vol. LVII., No.* 19.]

Feb. 13. **566.** Journal of Lords of Trade and Plantations. Petition of Robert Wright and Francis Pew read, appealing from judgments given against them in the Courts of New York. Order for the parties to attend, when the affair will be considered.

Draft Commission for Sir William Stapleton as Governor of the Leeward Islands read. Petition of the merchants trading to the Leeward Islands, touching the Treaty of Neutrality read, and reserved for consideration.

Draft instructions to Colonel Cony read. Agreed to omit the clause prohibiting members of Council from being judges. An instruction to be prepared, continuing such laws of the late Company of Bermuda as do not interfere with the Royal Authority, till further orders.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CVIII., pp.* 244-247.]

Feb. 15. Custom House, Dublin. **567.** Commissioners of Revenue in Ireland to the Lord Lieutenant. We send the accounts of the halfpenny a pound on tobacco and of the half duty on the other enumerated plantation goods collected in this kingdom from April last to Christmas last. The total amounts to £5,170. Since the law relating to plantation goods was revived last Session, the merchants have complained grievously; on which complaints we report as follows. By the Act of Navigation of 12 Car. II., Ireland had the same freedom of trade with the plantations as England. By the Act of 22 and 23 Car. II., Ireland is totally excluded, and all enumerated goods are to be brought to England on pain of forfeiture of ships and goods. This law was in force nine years, from 1671. By an Act of 25 Car. II., revenue duties are imposed on tobacco, sugar, &c., exported from the Colonies to any other country but England. This temporary law of 22 and 23 Car. II. has been revived by the present Parliament, and has totally excluded Ireland from all trade with the Plantations. While the law was in force during the nine years already mentioned, all the plantation goods were imported direct into Ireland as freely as when the trade was open by the Navigation Act, and though the Act of 25 Car. II. took effect from September 1673, by which all the plantation goods imported into Ireland ought to have paid the duties imposed by it, yet the same have returned little or nothing to the King in the Plantations, as the Commissioners of the English Customs are aware. And though they used every effort to seize ships and goods under the Act of 22 and 23 Car. II., yet it is plain that the same neither prevented the direct importation of tobacco into Ireland, nor compelled the merchants to pay the plantation duty. Then the present Commissioners of Revenue in Ireland proposed to you that tobacco, sugar, &c., should, when imported direct into Ireland, pay one moiety of the duty imposed by the Act of 25 Car. II., in lieu of the full duty collectable in the Plantations and

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payable to the English Customs. This was agreed to, and we collected £4,831 from April to Christmas last, together with exchange at 7 *per cent.* for remittance of the same, making altogether £5,170. From this it is plain that the King will gain more by collecting the half duty in Ireland instead of the whole duty in the Plantations, which did not in ten years, even including the whole trade from Colony to Colony, answer the sum collected here in nine months. And this would have been returned to the King annually, all the merchants here paying the half duty without regret or trouble. But now since the revival of the temporary law aforesaid, not only has the half-duty ceased, but the whole plantation trade of Ireland will be totally lost, and the ships will "go by the walls," to the loss and ruin of merchants and the prejudice of the King's revenue, as will soon become evident. If Irish ships are obliged to enter outward and inward from England before they can go to Ireland, there is in the first place the hazard to ships and goods. They are at their own doors, for Ireland lies nearer to the Colonies, and the whole of the duty could be collected at once; but now they have to make a voyage to England and back, and if anything go amiss everything is lost and the King's revenue with it. Secondly, there is the loss of time, amounting to three or four months on every voyage, which would otherwise be employed in voyages to French and other foreign ports. Thirdly, such ships returning to England from the Colonies must pay the customs and duties of the whole lading, amounting now to fivepence a pound, which on exportation leaves but a halfpenny, to be repaid in a month after the debenture is passed, according to the formality of the law. This is a great hardship on the Irish merchants, since it will require a bank of money and security at every port, which is absolutely impossible for them to compass. Fourthly, we conceive that the King's interest will be well secured by the collection of the half duty as lately practised, without the difficulty, risk, and delay already alluded to. Lastly, looking to the frauds in the importation of tobacco, and still more in the exportation thereof by debenture from England to Ireland, the practice cannot prejudice England in supplying foreign merchants, for no tobacco is exported from Ireland, and at importation it pays the full duty without allowance, as in England, for mean and defective tobacco. To avoid the exportation of European goods from Ireland to the Colonies, which we believe to be the greatest objection of the Commissioners of the English Customs to our proposal, we shall transmit to them duly the names of all ships bound to the Plantations, together with true accounts of their ladings, and take all possible care that no goods but such as are allowed by law shall be exported there. *Signed*, Longford, Will. Strong, Rob. Bridges, Will. Culliford. [*Col. Entry Bk.*, *Vol. XCVII.*, *pp.* 183-191.]

568. Lords Proprietors of Carolina to Governor Joseph Moreton and others of the Province South and West of Cape Fear. We learn from our Secretary, Robert Quarry, that on the 1st September a ship came into Ashley river which pretended to have been trading with the Spaniards, and afterwards to have been

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plundered by French privateers, adding that they had afterwards met a fleet of English privateers whose admiral told them to come to Carolina and repair. Mr. Quarry being, as he says, Governor, though not so according to our Fundamental Constitution, prohibited the master or any of the men of the vessel to land or sell goods in Carolina, the ship being (so we are informed) to Robert Quarry's knowledge, a pirate full of plunder, which was landed and sold in Carolina. Wishing to give Quarry a fair trial, we appoint you to make enquiry into the matter and take depositions, which you will send home to us. If you think Robert Quarry allowed these goods to be sold, knowing the character of the ship, you will take security of him not to leave the province until the matter has been reported to the King and his pleasure taken thereon. *Signed*, Craven, Albemarle, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., pp.* 75-76.]

Feb. 16. Jamaica. **569.** [Lieutenant-Governor Molesworth to William Blathwayt.] About four days since one of the Spanish periagos present at the sacking of New Providence, was brought into Port Royal, having been taken by two of our traders, who were attacked by her on the coast of Cuba. It is the same vessel which seized Captain Stanley's boat and men on the South Cays, and then attacked him. I enclose copy of the examinations taken in the business, also of the captain's commission, which is founded on a Royal cedula of the Queen Regent many years past, and extends only to pirates and enemies of the Crown of Spain. (*See next abstracts.*) [*Col. Entry Bk., Vol. XXXI., p.* 143.]

[Feb. 16.] 569. I. Deposition of Edward Goffe, commander of the pink Swallow. I sailed on 16 September last in company with Captain Peartree of the sloop Ann, having the Governor's passes, and his orders to sail to Santiago in Cuba to ask the release of Captain Chandler and others. Arriving at Santiago, and sending the Governor's letter ashore, I received an answer from the Governor of Santiago to leave the coast, and that he had no prisoners. Some of my boat's crew however declared that they saw Chandler at work in the wells of the Castle. Peartree and I returned to Jamaica with this answer, and a few days later sailed for the Bay of Honduras. Coming off Trinidad, in Cuba, on the homeward voyage, we sent in a boat asking leave to wood and water, which was refused. I was therefore forced to go to the Cays, ten leagues from Trinidad, for water, whither the Governor of Trinidad sent two galleys out, one of forty and one of eighty-five men, the latter of which, as the master confesses, was present at the sack of New Providence. Both galleys came up to my ship's side, and without hailing poured in a volley, which killed two men and wounded five or six, and then making fast to my ship's side tried to board her. Having the sloop's crew on board we defended ourselves, and after about half an hour's engagement, there were about sixty Spanish pirates killed and thirty-eight wounded. The smaller galley managed to clear herself, but the larger we captured and brought into Jamaica.

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569. II. Deposition of William Peartree and others in confirmation of the foregoing.

569. III. Deposition of Captain Edward Stanley of H.M.S. Bonito, as to his engagement with the captured galley in November, 1684.

The whole sworn before John White. 15 Feb. 1686. *Sealed and countersigned.* Reg. Wilson. *The whole* 3 *pp. Endorsed.* Recd. 1 June 1686. [*Col. Papers, Vol. LVII., No.* 20.]

[Feb. 16.] **570.** Copy of the commissions held by the captured galley, referred to in preceding abstract. *Spanish.* 8 *pp. Sealed* with the seal of the Admiralty Court of Jamaica, and *certified.* Reg. Wilson. *Endorsed as the foregoing.* [*Col. Papers, Vol. LVII., No.* 21.]

Feb. 16. Barbados. **571.** The Lieutenant-Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the transactions of Council and of imports. *Signed,* Edwyn Stede, Fran. Bond, John Hallett, John Hothersall, John Gibbes, Henry Quintyne, Stephen Gascoyne. 1 *p. Inscribed and Endorsed.* Recd. 30 Mar. 1686. [*Col. Papers, Vol. LVII., No.* 22, and *Col. Entry Bk., Vol. VII., p.* 364.]

Feb. 16. **572.** Minutes of Council of Barbados. Order for payment of £20 to the Marshal of Assembly, William Guddis, on account of salary due. Order for the justices of seven parishes to search the negroes' houses within their parishes for arms and ammunition, to secure the arms and such negroes as shall be suspected of an intention to rebel, there being signs of an insurrection of negroes and white servants. All masters within those parishes to keep good watches over their negroes day and night, and particularly on Sunday next, when many of them design to meet in sundry places to consult as to their bloody purpose. [*Col. Entry Bk., Vol. XI., pp.* 675-676.]

Feb. 19. **573.** William Blathwayt to Henry Guy. Transmitting a draft clause in the Instructions of the Governor of Bermuda, respecting the duty on tobacco, for the opinion of the Lord Treasurer. [*Col. Entry Bk., Vol. XVII., pp.* 183-184.]

Feb. 20. Virginia. **574.** Governor Lord Howard of Effingham to the King. Humble thanks for the copy of his Commission, with some reference to the refractory spirit of the Assembly, as reported in *No.* 563. *Signed,* Effingham. *Holograph.* 2 *pp.* [*Col. Papers, Vol. LVII., No.* 23.]

Feb. 20. **575.** Duplicate of foregoing. [*Col. Papers, Vol. LVII., No.* 24.]

576. Governor Lord Howard of Effingham to the Earl of Sunderland. You will read in my letter to the Lords of Trades of my dispute with the Assembly (*see No.* 563), and how I was forced to prorogue them. I have received the King's reprieve for Talbot if he should be found guilty of murder, also a special com-

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mission to try him here, and my own commission. I beg for early instructions as to my affairs with the Assembly, or I shall be in difficulties as to the levy. *Signed*, Effingham. *Holograph.* 2 *pp. Endorsed.* Recd. 21 Apr. 86. [*Col. Papers, Vol. LVII., No.* 25, and *Col. Entry Bk., Vol. LXXXIII., pp.* 98-99.]

Feb. 20. **577.** Duplicate of foregoing. Dated March 23 1686. *Endorsed.* Recd. 1 July 1686. [*Col. Papers, Vol. LVII., No.* 26.]

Feb. 22. **578.** Minutes of Council of Virginia. Proclamation repealing three Acts, for limiting time of receipt and payment of public tobaccos, for empowering counties and parishes to make by-laws, and for empowering County Courts to make by-laws. [*Col. Entry Bk., Vol. LXXXIV., pp.* 221-222.]

Feb. 22. **Virginia.** **579.** The Clerk of Assembly of Virginia to William Blathwayt. Forwarding journals of the House of Burgesses from November 2 to December 12 1685. *Signed*, Robert Beverley. Recd. 15 April 1686. List of the bills transmitted—Act prohibiting counties from making by-laws. Act repealing Act No. 17 of 8 June 1680. Act to continue an Act for the advancement of manufactures. Act declaring Maryland debts pleadable. Additional Act about runaway servants. Act touching public claims before the Assembly. Act to enforce Act No. 107 of 23 March 1661-2. Act fixing days for Courts in Accomack County. Act appointing ports and wharves. Act repealing Act No. 7 of 16 April 1684. Act for better defence of the country. [*Col. Entry Bk., Vol. LXXXIII., pp.* 83-85.]

Feb. 23. **580.** Copy of the indictment of Charles Hudson for high treason. 1 *p.* (*See post No.* 591.) [*Col. Papers, Vol. LVII., No.* 27.]

[Feb. 23.] **581.** Copy of the inquisition into the estate of Charles Hudson, condemned for high treason. *Large sheet. Endorsed.* [*Col. Papers, Vol. LVII., No.* 28.]

[Feb. 23] **582.** Questions in law arising upon the inquisition on the estate of Charles Hudson. 1 *p. Endorsed.* [*Col. Papers, LVII. No.* 29.]

[Feb.] **583.** Copy of a bond of Thomas Shuttleworth to the King for surrendering the estate of Charles Hudson. [*Col. Papers, Vol. LVII., No.* 30.]

[Feb. 23.] **584.** Memorandum, that Charles Hudson, lately condemned, is a man of very ill principles. *Scrap.* [*Col. Papers, Vol. LVII., No.* 31.]

Feb. 27. **585.** The King to Sir William Stapleton. Directing that Christopher Codrington shall be sworn of the Council of the Leeward Islands. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. XLVII., p.* 197.]

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Feb. 28. **586.** Robert Byndloss to John Byndloss. Three months ago there arrived here an interloper with about two hundred negroes. She belonged to Beeston, Waterhouse, Nathaniel Hickes, and Colonel Samuel Barry, one of the Council of L[ynch]'s putting in, a great creature of Beeston's. Her name was the Hawk, consigned to Barry and Hickes. If you acquaint one of the Secretaries of State or my Lord Treasurer, sure B. would be rather tossed out of Court in a blanket. He is mortally hated here, and it is said by his creatures that he values not Sir P.'s [? Philip Howard's] friendship, but scorns and despises him. This is for the King's service; be sure you make use of it. *Signed*, Ro. Byndloss. *Holograph.* ½ *p.* *Endorsed.* Recd. 10 June 86. [*Col. Papers, Vol. LVII. No.* 32.]

[Feb.] **587.** Answer of the French Ambassador to the Memorial concerning the oppression of the French in the West Indies. The King will cause enquiry to be made at St. Domingo as to the seizure of the ship James. As to the ship seized at Petit Guavos in September 1684, her restitution cannot be thought of, since she was condemned according to the orders of the King, my master. Moreover Mons. de Franquinay had apprised the Governor of Jamaica of those orders, and did not confiscate the vessel until he had told the captain of those orders; but the captain, far from obeying, went to another port on the coast to push his trade. 1 *p.* *French.* *Endorsed.* Recd. Feb. 1686. [*Col. Papers, Vol. LVII., No.* 33, and *Col. Entry Bk., Vol. XXXI., p.* 126.]

March 2. **588.** Warrant of the Proprietors of Carolina for the delivery of three thousand acres of land to Josias Forrest. *Signed*, Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 77.]

March 2. **589.** Henry Guy to William Blathwayt. Forwarding the reply to his letter of 19 February. *Annexed*,

589. I. Commissioners of Customs to Lords of Trade and Plantations. On the claim of instructions from the Governor of Bermuda sent to us on the 22nd ult., we understand that the penny per pound on tobacco is a tax on that commodity in that country for the necessary support of the Government, and we therefore do not see how it will affect the King's revenue in the trade of this kingdom. *Signed*, W. Dickinson, Ch. Cheyne, Jo. Werden, D. North, N. Butler, J. Buckworth, T. Chudleigh. 1 *p.* *Dated*, March 1 1685-6.

589. II. William Blathwayt's letter to Henry Guy, of 19 February (*see No.* 573). 1 *p.*

589. III. Copy of the draft clause of the instructions enclosed therewith. ½ *p.* [*Col. Papers, Vol. LVII., Nos.* 34, 34 I.-III., *and (letter only) Col. Entry Bk., Vol. XVII., pp.* 184, 185.]

March 2. **590.** Minutes of Council of Jamaica. The King's letter of 11 October respecting transported rebels read. The Secretary instructed to attend to it. The Lieutenant-Governor read the duplicate of Sir Philip Howard's Commission. The following payments ordered: £500 to the Lieutenant-Governor for three months' salary; £90 to Chief Justice Bernard for the same; £75 to the Auditor-General for six months' salary; and £92 to the Naval Officer for disbursements. Copy of the King's letter of 11 October 1685, and of his letter of 19 October, transmitting the duplicate of Sir Philip Howard's Commission. [*Col. Entry Bk., Vol. XXXVI., pp.* 106a—108a.]

March 4. Jamaica. **591.** Lieutenant-Governor Molesworth to William Blathwayt. Since I have received the copy of the Spaniard's commission (*see No.* 570), I conclude that it was sufficient to justify him in taking the traders, for the restriction therein as to the English is only to do nothing contrary to the treaty of peace, and trade being therein forbidden, I conclude it does extend to it. However his seizure of the Bonito's boat and eight men will be sufficient to condemn him for piracy, besides his share in the sack of New Providence. Whether on condemnation I shall proceed to execution will depend upon the instructions which I am daily expecting. The owners of the vessel that took the galley have made her over to me for the use of the Island, she being very well fitted to clear the South Cays and that part of Cuba from such enemies as destroy our trade and fishery in these parts. I shall use her for that purpose so far as my instructions permit me. This February Court, one Charles Hudson, a silly, illiterate sot, who cannot write his own name, was condemned for high treason, for speaking treasonable words at about the time when we had the first news of Monmouth's rebellion. He was not tried until now, this being the first court since the arrival of my new commission. It appears that he was very drunk, a common thing with him, when he used the words, the treasonable language being (so far as I remember) that James, Duke of York, was not the rightful King of England, and that Monmouth, if God blessed him, would make work with him. He was recommended to me as a fit object for the King's mercy by all the judges, no other undutiful thing being known against him since he came to the Island, which was, I think, with the first army. He has acquired a pretty good estate, but is so little master of his reason that he has several times been giving it away to strangers; to prevent which his wife has caused it to be settled on a married daughter. I have reprieved him till next February Court, awaiting the signification of the King's pleasure.

I have duly received the duplicate of Sir Philip Howard's Commission and the King's order for the discharge of Lieutenant Butler, and have communicated them to the Council. I have also received your letter of 20 October (*see No.* 421) respecting transported rebels, and have taken every precaution to prevent their return to England. When the Assembly meets I shall propose to them the Act which you suggest; indeed, I should have proposed to call an Assembly before now were I not still awaiting the King's instructions. Recd. 3 June 1686. [*Col. Entry Bk., Vol. XXXI., pp.* 144-148.]

March 5. **592.** Lieutenant-Governor Molesworth to the Earl of Sunderland. I have received the duplicate of Sir Philip Howard's Commission, and the King's orders respecting transported rebels, but I am embarrassed from want of the Instructions, which have not

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yet arrived. The order for the dismissal of Lieutenant Butler is not yet come, but unless it arrive within a few days, I shall act upon a copy sent by Mr. Blathwayt. The King's directions as to punishment of offenders in his pay and on actual service are very welcome to the magistracy. I have written at large to Mr. Blathwayt. *Signed*, Hder. Molesworth. *Holograph.* 3 *pp.* *Endorsed.* [*Col. Papers, Vol. LVII.*, *No.* 35.]

March 5. **593.** Minutes of Council and Assembly of Antigua. Message from the Assembly. We hope that the Act for a pound an acre and for an impost on liquor will suffice to pay contingent expenses. We wish for an account of the country's debts from the Treasurer. We desire your concurrence in a measure to regulate the building of towns, that thatched houses may not be erected near those that are well framed and shingled, to the general danger. Answer of the Council—We concur as to the regulation of building. You are adjourned to the 23rd inst. [*Col. Papers, Vol. LVII.*, *No.* 49.]

March 8. **594.** Journal of Lords of Trade and Plantations. Colonel Cony's letter of 3 January (*see No.* 533) ordered to be abstracted. Report of Commissioners of Customs on the instruction as to laying a penny a pound on tobacco read. The instruction approved, and read together with the rest of Colonel Cony's instructions (*see No.* 589).

Sir Richard Dutton's answer to the petition of John Goldingham and Ralph Lane read (*see No.* 550). The Lords agreed on report (*see No.* 595).

Colonel Molesworth's letters of 17 November and 16 June read (*see No.* 463).

Memorandum of documents read and received. [*Col. Entry Bk.*, *Vol. CVIII.*, *pp.* 247-250.]

March 12. Whitehall. **595.** Order of the King in Council. Report of Lords of Trade and Plantations. We have considered the petition of John Goldingham and Ralph Lane (*see No.* 494 I.), and judge that Sir Richard Dutton's prosecution of them appears altogether vexatious. We recommend that the fines be remitted and all issues and estreats thereon discharged. Ordered accordingly. *Signed*, Wm. Bridgeman. [*Col. Entry Bk.*, *Vol. VII.*, *pp.* 356-357.]

March 12. Bermuda. **596.** Captain William Coward to Lord Dartmouth. On our way to Pennsylvania we were driven into this port, where we find the inhabitants in great distraction, being tormented by some ill instruments, and most of them in arms. They allege, in defence, that when they heard of the late rebellion in England they demanded the King's magazine of the Governor, saying that it was their right. They have kept two castles from him by force, and have many times assaulted him, so that he would probably have been murdered but for the arrival of Captain Bartholomew Sharpe, whom he was obliged to retain for his own security. He has about a hundred men and we thirty, so that by diligent watch we manage to secure the King's interest, though we expect an attack every hour. We hope that you will move, for the Governor

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is in a deplorable condition in want of assistance. The country brought the enclosed [*wanting*] to the Governor, saying that it was sent them by the King's command. The difference between Governor and people has been heard by many masters and merchants. He will not give them the Crown Lands, nor allow them to defraud the Customs. The Governor has not an officer that stands by him, civil or military. All will connive at anything in the country's interest against the Government. *Signed*, Wm. Coward. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVII., No.* 36.]

March 12. Bermuda. **597.** Attestation of William Kett. That on the 11th March he heard the drum beat and the report of thirty or forty small arms in Pembroke tribe. *Certified copy. Scrap.* [*Col. Papers, Vol. LVII., No.* 37.]

March 13. Jamaica. **598.** Instructions of Lieutenant-Governor Molesworth to Captain David Mitchell. The Ruby being dismantled you will impress the ship Sancta Rosa for the King's service, and fit her out, which done you will sail to the Isle of Ash, taking H.M.S. Bonito in your company, or wherever else you may understand the pirate Banister to be, and endeavour to take or destroy him. 1 *p.* [*Col. Papers, Vol. LVII., No.* 38.]

March 16. Dublin Castle. **599.** The Earl of Clarendon to the Lord Treasurer. Several merchants of Ireland have complained to me of the revival of the law concerning Plantation goods. Two merchants of Cork in particular, have acquainted the Commissioners of Revenue as well as myself that if they be compelled to enter outward from England and return thither again they will positively give up their trade, for it cannot be carried on without loss. I have discoursed at large with the Commissioners, who, at my desire, have represented the whole matter to you at length (*see No.* 567), giving also an account of the duty deposited here by your order of 18 April last, for such goods as were imported directly from the English Plantations up to Christmas last, with the exchange of the same at seven per cent. From this you will see the advantage that the dispensing with the Act will bring to the revenues of both kingdoms. Though I am Chief Governor of Ireland, I hope I shall never propose anything of seeming advantage to this kingdom which could be of the least prejudice to England; but if I can propose anything for the enriching of this wonderful and improvable country without prejudice to England or to the King's revenue there, while infinitely augmenting his revenue here, I hold it to be my duty to support it. Such a thing I hold to be the matter in question, notwithstanding the debates which I heard thereon in England, and which were not as ingenuous as I could have wished or as such debates ought to be. I think it very demonstrable that the dispensing with the Act would be of no prejudice to England or to the Customs there, since the duties imposed by law might as well be paid here and returned to England without loss to the King from exchange. If that be granted, no one can deny the advantage to both kingdoms, the Irish ships being so much nearer home as they come from the Plantations, while the merchants can have much quicker returns, and send out their ships to another

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voyage much sooner than if they were forced to put in and unload in England. And delay means loss to the King's revenue here. As to the legal aspect, I shall add nothing to the report of the Commissioners, except that I remember that the late King did once dispense with this law. The revenue was then in farm, but I do not find it pretended that England suffered by the dispensation. I therefore urge that the law may be dispensed with for one or two years, which will be sufficient time for a trial to be made. If it then be found upon impartial examination of the Plantation books, that the revenue of England has suffered in the least (quite apart from any improvement of the revenue here) then let the dispensation be withdrawn. Such a trial would give the King the best proof of the truth of the case, and will be no injury to his individual interests, for what ought to be paid to him for his duties will be received here, returned into England without charge as part of the revenue of England under a separate account, and no notice taken of it in the produce of the revenue of this country. I regret that the multitude of letters to be despatched has prevented me from forwarding the Commissioners' letter before. *Signed*, Clarendon. [*Col. Entry Bk.*, *Vol. XCVII.*, *pp.* 178-183.]

March 16. **600.** Minutes of Council of Barbados. George Hannay produced the Royal letters patent for the post of Provost Marshal and was sworn. The Lieutenant-Governor acquainted the Council that some Irish servants had been sent to gaol and others held to bail on suspicion of privity to the intended rising. The Council agreed that they should be tried before the Court of Pleas of the Crown. The Assembly attending, the Lieutenant-Governor informed them—1. That the intended insurrection was not so serious as had been supposed. 2. As to the effect of their late address to the King respecting the additional duty on sugar. 3. The Lieutenant-Governor moved them to consider the question of collecting the laws of the Island. 4. Reminded them of the arrears outstanding before 1676. 5. Proposed that the sums paid by the smaller trading vessels in lieu of powder should be expended on match. 6. Commended to them a project for cleansing the bar in St. Michael's port. 7. Acquainted them with a petition for the raising of a levy for the repair of St. Philip's church.

March 17. The petitions of John Hallett and Peter Phippard as to rebate of excise, and of Thomas Morris, read and printed. The Assembly attended with the following answers to the Governor's proposals. 1. Thanks to the Governor for his care. 2. That the correspondents who gave the account of the address be thanked. 3. That the laws be collected by a joint committee. 4. That the appointment of the committee for accounts does not affect accounts adjusted. 5. The House agrees. 6. That a joint committee consider of it. 7. That the case is sufficiently met by the Act concerning vestries. The salary of the Clerk of Assembly was passed. List of the joint committees of the two Houses. [*Col. Entry Bk.*, *Vol. XI.*, *pp.* 676-685.]

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March 16. **601.** Journal of Assembly of Barbados. The Governor made several recommendations to the House (*see preceding abstract*), which were maturely considered.

March 17. Committees appointed to collect the laws of the Island and to consider the project for cleansing the bar at St. Michael's port. The answers to the Governor's proposals (*see preceding abstract*). Address for payment of the Clerk's salary. Copies of the Acts for appointment of a Committee of accounts and of a Treasurer, and for governing the transported rebels. [*Col. Entry Bk., Vol. XIV., pp.* 147-156.]

March 18. Bermuda. **602.** Governor Richard Cony to Lords of Trade and Plantations. Repeats his letter of January 21st (*see No.* 552). On 28 January last a vessel arrived from Barbados with a packet for Samuel Trott and William Righton, superscribed, "These for his Majesty's service." Hearing of this packet, and that a letter from the King to myself was enclosed in it, I sent for Righton and asked for it. But he refused to do so unless the letters and certain articles exhibited against me by himself and William Milbourne were first recorded. I refused, and after a long dispute and my threatening to commit him, he told me that perhaps he might show me the King's letter as a favour, but not the articles nor my complaints against the country. Finally he gave me a copy of the letters, but would show me no more. I therefore committed him, and the Deputy-Sheriff, John Hubbard, bailed him. Several copies of these documents are distributed about the country, but I cannot get a sight either of the articles against me or of my complaints. Captain Francis Tucker of the Council, has seen several copies, and has told me that no two of them agree. He, Samuel Trott, Richard Stafford, William Peniston, and several more of their faction met and debated whether they could not bring me to examination and trial before the arrival of the King's real letters to me, and they had certainly done so, notwithstanding the readiness of Captain Sharpe and his men to defend me, had not Captain Conaway, of the ship Prosperous, arrived in the nick of time and "outdured" their insolence. We are forced to keep watch day and night against an attack of this faction. By the help of Sharpe and Conaway, I recovered two forts taken from me by Bascom and Keele. I also imprisoned them, but they made their escape, and the country keeps a strong guard to protect them from recapture. It is hard measure to know only my accusers and not what they accuse me of, and that my accusers should be also my judges, such men as Righton and Peniston. The latter is a fifth-monarchy man and is branded on the shoulder. He was in Venner's rising and escaped here to make new mischief. Some years since he defrauded a merchant in London of his estate here, and now, having accused me, he is fled to New England, where he follows his trade of preaching, as he did here, though a fisherman by calling. Righton, once a tailor and servant to Hugh Peters, has also been a preacher in Bermuda and a boaster, and for many years, as I know to my sorrow, a disturber of the Government. The sending of the King's letters and of the articles to them

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privately and not to me, has so encouraged them and discouraged my friends that I hardly know where to find the latter. I have gone though many troubles in this Government, but am conscious of no disloyal act that my enemies should have this advantage over me. I imagine that neither you nor Lord Sunderland know anything of the despatch of this private packet. I cannot think how it came about, except clandestinely through some of the agents whom they have for years employed about their quarrelsome affairs. Could bribes have prevailed with me to betray my trust I should not have wanted them, for I was offered them at my coming, and often since. What with a knavish Deputy-Sheriff, and a Secretary that either does not or will not understand his business, and a false perfidious people, the King is much injured and I myself am in no comfortable position. If there be war with France there is great danger that these Islands will be betrayed by the inhabitants, for they are treacherous and disloyal, and abhorrers of any government but of their own raising. By the assistance of Captains Sharpe and Conaway, I have been brisk with them, and have imprisoned Richard Stafford on board Sharpe's ship, for our gaol and Provost Marshal are one as rotten as the other. I have plenty of evidence against Stafford and Hubbard, even in their own party, who now daily impeach both of them and begin seemingly to conform in hope of pardon. I am unwilling to send the evidence by this ship, as she is leaky. I hear that the Rose frigate is bound hither from New York. I heartily wish for her arrival to settle matters. Stafford accuses Bysshe of seducing him; and so does Trott, and I know it to be true, but both are old disturbers of the Government. Stafford was always professing to protect the people against the oppression of the Government, though never a penny of levy has been paid since my arrival, however urgent the need for money. Yet they have freely contributed to pay two gentlemen to be their solicitors in London. Righton told me they were six hundred pounds out of pocket, fifty of them to Mr. Burghill, and that they hoped the King would re-imburse them. So they have proceeded, Stafford hoping either to be elected Governor himself or that Burghill, from whom they hoped for all kinds of indulgence, would be appointed. What is attested against Stafford by his own party is this: "Let us lay all animosities aside and with one shoulder heave out this Governor;" and they went very near to do it. Now some of the people begin to refuse a sea-brief, boldly tell me that they want none and sail without it. They have generally turned their houses into garrisons with resolution to oppose any orders of mine for the arrest of any of them. It is the late rebellion in England that caused this. At this instant some of the people have offered to farm the whale-fishery for ten pounds. I offer it for five and twenty, but they cannot afford more than ten pounds [per boat]. I had better take the offer than lose an hundred pounds. I believe that some of the grantees in the late Company's time would take the farm. The fishery might be made very considerable if undertaken by men who would go through with it. I have no account

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of last year's fishing, though I daily expect it now Sharpe is with me. He is very zealous for the King's service, though the people have offered him large sums to desert me. *Signed*, Richard Cony. *Holograph. 3½ very closely written pages. Endorsed.* [*Col. Papers, Vol. LVII., No.* 39.]

March 19. Whitehall. **603.** The King to Lieutenant-Governor Stede. Understanding that foreigners have made a settlement in St. Lucia without our leave and pretend to be the only proprietors thereof, whereas we are the rightful owners by discovery and purchase, we order you to instruct the captain of our frigate on your government to fall down as soon as may be to the Island. You will, if necessary, cause a fit number of men to be put on board. Some of the men must be landed who, by proclamation or otherwise, shall assert our title to the Island, retake possession thereof, and erect durable ensigns of our sovereignty. All foreigners not acknowledging our sovereignty must be ordered to depart. You will on all occasions assert our claim or possession of the Island. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. VII., p.* 363.]

March 19. Whitehall. **604.** Order of the King in Council. Referring the petition of Charles Henderson, an infant, for restoration of his inheritance in Antigua, taken by one John Gunthrop and others, to Lords of Trade and Plantations for report. *Signed*, Wm. Bridgeman. *Endorsed.* Recd. 12 May. Read 20 May, 1686. *Annexed,*

604. i. The petition referred to. The estate in question was taken by Governor Sir Charles Wheeler from petitioner's uncle, Archibald Henderson, on false pretences in 1670, but was ordered by the King to be restored, which was done; but the estate was again seized by a more arbitrary order of Governor Philip Warner. On the death of Archibald, his son James started for Antigua to claim the estate, but died on the way, and it was then seized, with the connivance of Governor Warner, by one John Gunthrop. Prays restitution of the estate. *Copy.* 3 *pp.* [*Col. Papers, Vol. LVII., Nos.* 40, 40 i., and *Col. Entry Bk., Vol. XLVII., p.* 199.]

March 22. Boston. **605.** Protest of Elisha Hutchinson, John Saffin, and Richard Wharton, as representatives of John Winthrop and Major Atherton, against all who shall trespass upon their territory in the Narragansett Country. *Printed sheet. Endorsed.* Recd. 17 June 86. [*Col. Papers, Vol. LVII., No.* 41.]

March 23. **606.** Minutes of Council and Assembly of Nevis. Deputy-Governor Sir James Russell's Commission read. The Governor proposed the passing of a Bill for the restraint of the convict rebels transported from England. Copy of the King's letter of 15 October 1685 on the subject forwarded by Sir William Stapleton in a covering letter of 10 October, wherein he urges the immediate passing of the Bill. In reply to the Assembly, the Governor and Council deferred answer to the proposals made at last meeting. Agreed that the persons appointed to audit the accounts do also draw up the Bill to restrain the convicts. [*Col. Papers, Vol. LVI., No.* 43, and *Col. Entry Bk., Vol. XLVIII., p.* 60.]

March 24. **607.** Journal of Lords of Trade and Plantations. The Lords were informed by the Customer of Gravesend that several ships been lately cleared with servants to be transported to the Plantations who are irregularly bound, contrary to the rules of Order in Council of 13 December 1682. Agreed to recommend the renewal of that Order.

Draft Commission to Colonel Dongan as Governor of New York approved, and ordered to be laid before the King.

Order for draft Commission and instructions to be prepared for New England.

Petition of John Daniel read and referred to Sir Richard Dutton for his reply (*see No.* 637).

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CVII., pp.* 251-255.]

March 25.
Whitehall.
608. William Blathwayt to Samuel Pepys. I beg to remind you of the King's resolution to send a fifth-rate frigate instead of a ketch for Virginia and Maryland. *Draft.* ½ *p.* [*Col.* for his reply (*see No.* 637).

March 25.
Jamaica.
609. Lieutenant-Governor Molesworth to William Blathwayt. The Spanish captain referred to in my last (*see No.* 591) has been found guilty of piracy, for robbing a sloop from Nevis and stealing Capt. Stanley's boat. For reasons relating to our Spanish trade, and understanding that he had treated those under his power well and had apologised to Captain Stanley, soon after committing the fact, for not knowing his to be a King's ship, I have granted his reprieve. I am since glad that I did so, for I find that the Spanish Governors will be very much concerned for him, and particularly those who have obliged me most by granting restitution of prisoners. Lately I have received a letter from the Governor of Santiago, in Cuba, demanding him in the same manner as I have demanded prisoners, and making such excuses for him that I conceive, if he had been executed, it would have passed current among Spanish Governors that he had suffered only for carrying out the Spanish King's Commission. This would have raised a great clamour against us and would have endangered all our traders who are or may in future fall into their power. I have therefore reprieved him till the King's pleasure be known. The galley became the King's, and is a proper vessel for defence of our trade. [*Col. Entry Bk., Vol. XXXI., pp.* 149-151.]

March 25. **610.** Two lists of convict rebels delivered in Barbados, 12 March 1686, one showing the names, the other the allotment of the prisoners. *Attested copies.* 25 March 1686. *Large sheet.* [*Col. Papers, Vol. LVII., Nos.* 43, 44.]

1686.
March 26.
Whitehall.
611. Order of the King in Council. For enforcement of Order in Council of Dec. 13 1682 (*see preceding volume, No.* 846), regulating the transportation of indentured servants, and checking the evil practices of the people called "spirits." [*Col. Entry Bk., Vol. XCVII., pp.* 175-177.]

March 26. **612.** Minutes of Council and Assembly of Antigua. Message from the Assembly. We desire to know what Acts are in force. We asked at our last meeting for an account of tne country's debts. We desire that all officers, civil and military, who have not taken the oaths of allegiance and supremacy, may do so forthwith; and we ask your concurrence in farming the impost on liquors to Mr. John Lucas for 35,000 lbs. of sugar. Answer of the Governor and Council. We have sent the Treasurer's Accounts and concur as to the farm of the impost. We recommend the payment of arrears to Mr. Cole. Message of the Assembly. On perusal of the Treasurer's accounts, we think the pound an acre and impost on liquors sufficient, and desire your concurrence in farming the impost on liquors to Captain Robert Carden for 36,000 lbs. of sugar. Answer of the Governor and Council. We think that the pound an acre and impost on liquors is insufficient, considering that some support is due to the Governor. We concur as to the farming of the impost. We are surprised that you think the Act for a pound an acre and for impost on liquors, passed in General Willoughby's time, cannot be used for the payment of matrosses. Answer of the Assembly. We are still of opinion, in this last matter, that this Act was not designed for the payment of matrosses. If this Act will satisfy the contingent charges, we are satisfied and will raise no more. We never promised anything to the General, and have particular instructions not to vote money to the Governor. We desire an order for payment of our clerk. Message of the Governor and Council. We beg an order for payment to Major William Barnes of the sum you promised him in consideration of his care for your affairs at home. Answer of the Assembly. We have read the Royal Instructions as to raising of revenue, and are satisfied with them. We have made such heavy levies on the country that we desire to raise no more. We wish to know how long Major Barnes has been an agent, that we may know how to pay him what is due to him. We are without the means of paying the matrosses, without a new levy on the country, which we are unwilling to make. [*Col. Papers, Vol. LVII., No.* 49.]

March 29.
Custom House.
613. Commissioners of Customs to the Lord Treasurer. We have duly considered the letter of the Irish Commissioners of Revenue of 15 February last (*see No.* 567). The first contention is that the dispensing with the law of 22 and 23 Car. II., will be advantageous to the revenue of both kingdoms. We reply that the true interest of England, as is also the usage of all nations, is to keep the Plantation-trade to herself. Again, tobacco imported through England to Ireland pays a halfpenny here in exportation and a halfpenny more on importation in Ireland, which is a whole penny more than if it came directly to Ireland from the

1686.

Plantations; and the Irish merchants, so far as we were informed, were very well content to enjoy the benefit of the Plantation-trade through England. Moreover the revenue of Ireland profits, as well as that of England, as is shown by a letter from the Lord Deputy, of 29 October 1683. As a matter of fact, before the expiration of the Act referred to, Ireland was far more served with plantation goods from Bristol than since. An account prepared at Bristol shows that in the three years following the expiration of the Act the tobacco exported thence to Ireland was 1,341,684 lbs. less than in the three years immediately preceding it, or nearly one hundred thousand pounds *per annum* loss to the King in the receipts of that port by that particular commodity. We believe that the loss in other English ports was in proportion, besides losses otherwise sustained by the "obstruction of trade" between the two countries.

The second contention is that the whole Plantation-trade of Ireland will be lost if it must be carried on through England. There may be some seeming disadvantage to the Irish merchants in not trading directly with the Plantations, but it would be far greater disadvantage to the King's interest and the English merchants if the law were dispensed with and the restraint on Ireland taken off. The merchants of Ireland have no ground for their complaints. The ships bound for the Plantations are not bound to come to England to give bond, unless laden with goods enumerated in 15 Car. II. They may and do go to the Plantations direct with servants, horses, and provisions, and then give bond to return to England. So we deny the allegation as to payment of fivepence and the necessity for a bank of money, observing that when tobacco is imported for immediate re-export no more need be paid down than the subsidy, or one penny per pound, security being given for the remaining fourpence per pound duty. In this case the master's bond is generally sufficient; the collector takes the tobacco into his own hands until it is re-shipped, and on its exportation, on perfecting a debenture for the same, a moiety of the subsidy is repaid and the security for the additional duty is discharged. Again, the position of Ireland and the cheapness of provisions therein are great advantages to Irish merchants, so much so that if they were allowed to trade on equal terms with English merchants they would probably rob this kingdom in a great measure of this flourishing trade. On the whole we are of opinion that the law revived by Parliament last Session should not be dispensed with. *Signed*, Ch. Cheyne, N. Butler, Jo. Werden, J. Buckworth, D. North, T. Chudleigh. [*Col. Entry Bk., Vol. XCVII., pp.* 207-213.]

[March ?] **614.** Petition of the Deputy-Governor of the Leeward Islands to Lords of Trade and Plantations. We are destitute of any means to support our office worthily, by virtue of an order from the late King, which impedes the people's kindness to us, much to our detriment in the entertainment of visitors to these Islands. We beg you to forward the annexed petition to the King. *Signed*, Tho. Hill, Ja. Russell, Rd. Stapleton, Ed. Powell. *Undated.* 1 *p.* [*Col. Papers, Vol. LVII., No.* 45.]

1686.
[March.] **615.** The Secretary of Virginia to Lords of Trade and Plantations. I send the Journals of the Assembly and the Bills that should have been passed into laws. The Journals will explain why they were not so passed better than I can, as I was unhappily too unwell to attend to my duty at the time owing to gout. They will show also how near things were to a settlement when they were interrupted. But neither the burden of keeping a standing force, nor the favourable occasion of a plentiful crop to raise a levy, nor the expense to the country of maintaining a long Assembly could prevail with the Burgesses. Lord Howard will doubtless have informed you how far he went to accommodate the matter, but you will see how necessary it is for the Clerk to the Burgesses to be appointed by the Governor and paid from the King's revenue. The King has ordered quit rents to be collected in money instead of as formerly in tobacco. Should not the Act of Assembly on the subject be repealed by Royal Proclamation? The Assembly must not be expected to repeal it, since it concurs with their interest. I thank God we have a plentiful crop of tobacco, and no fear from home or foreign Indians. *Signed,* Nicho. Spencer. *Holograph.* 2½ *pp.* *Endorsed.* Recd. 7 May. Read 10 May 1686. [*Col. Papers, Vol. LVII., No.* 46, and *Col. Entry Bk., Vol. LXXXIII., pp.* 99-102.]

April 1. **616.** Minutes of Council and Assembly of St. Christopher's. Proposed to the Council as essential to the prosperity of the Island that the ships trading to the Island carry no more than one pound of powder per ton. [*Col. Entry Bk., Vol. XLVIII., p.* 55.]

April 1.
Bermuda. **617.** Governor Richard Cony to Lords of Trade and Plantations. Repeats his letter of 18 March (*see No.* 602) and continues: I was ready to seal up my last letter when Anthony Peniston came to see me on behalf of the country, and told me that neither he nor the country would give more than five pounds a boat for this year's whale-fishing, utterly denying his former offer of ten pounds a boat, and saying, "We are the King's subjects, and we will strike whales, and if the King ask the oil of us he shall have it all," and so forth to the like affronting purpose. There is no trusting this perfidious people. They make it their common jeer that the frigate which is to come here is yet to build, believing that the King will take no notice of them. They sent me the enclosed letter from William Peniston by accident, hearing that I was informed of such a letter. It will show you what a state the country and myself are in. But for Sharpe and the ship-masters, I should have help against their fury, but they have nothing against me except that I will not abandon the King's interest. I have not heard a word of complaint against Sharpe from any native nor any Governor nor any people, except the factions here who wish me to be left to their rage. Had Sharpe exceeded the bounds of his commission, he would not presume to await the arrival of a King's ship, but now William Peniston has cleared him of any suspicion of piracy. If he was a pirate, why did they buy goods of him, and why did

they not accuse him as soon as he anchored? Yet they made no attempt to do so until after Captain Bee had sailed. I shall try to keep him till the King's frigate comes. The articles against him are enclosed.

I was sealing this packet when the King's letter to me arrived and copy of the articles exhibited against me by Milbourne and Righton. It was crafty of them to have those articles recorded before the evidence was examined, and crafty of their friends to procure them a copy of the King's letter nine weeks before the original reached my hands. I shall obey the King's orders and try how far the cords of their oaths and consciences will stretch. As yet I am unwilling to begin from fear of tumult, so shall forbear until the arrival of the frigate. I wish the Rightons were as guiltless of defrauding the Customs as I am of their articles, and then I should have money in the Treasury and not be obliged to pay all expenses from my own purse. I enclose Downing's attestation against Bascom and others for disposing of Crown Lands to the preacher Fowlls. If the master of the ship that bears this complain that I have detained him, do not believe him. He has waited to repair his weather-beaten vessel and ship tobacco. Blessed be the great Creator of earth and heaven for the King's late victory over his enemies. *Signed*, Richd. Cony. *Holograph. Four closely written pages. Enclosed,*

617. I. Declaration of Governor Cony that having lately discovered a design to bring him to examination and trial, he has called upon Captain Bartholomew Sharpe and his company to attend at Bermuda for defence of the King's interest. *Attested by* Bartholomew Sharpe, of the Josiah frigate, Edward Conway of the ship Prosperous, John England, of the Frances, pink, William Coward, lieutenant of the Prosperous, and seven others. 1½ *pp. Endorsed.*

617. II. Duplicate of foregoing. *Same endorsement.*

617. III. William Peniston to the Justices of the Peace of Bermuda. Calling upon them to meet, call Sharpe before them and try him; and, if he refuse to attend, to take all possible precautions to prevent his escape. When the matter is finished they should go down to the Governor and give the lie to his aspersion on the Bermudians for rebels and traitors. They must not forget that Richard Stafford, an aged man [*note in the margin,* between 40 and 42] is on board Sharpe's ship with both legs in irons; it is feared that he will be murdered by hard usage. *One closely written page, the whole in a seditious and inflammatory strain. Dated,* 22 March 1686. *Copy, attested,* 29 March 1686. *Endorsed.* Recd. 19 May 86.

617. IV. Articles against Bartholomew Sharpe, exhibited by William Peniston. 17 March 1686. As to his suspicious departure from Jamaica, and acts of piracy at Campeachy and elsewhere. Seven articles. *Copy.* 3 *pp. Inscribed in Governor Cony's hand.* Mr. Peniston

1686.

delivered these articles to me, but no man has subscribed them. *Endorsed.* Recd. 19 May 86.

617. v. Deposition of John Watlington as to the design of holding a public cabal on 30 March. Sworn 28 March 1686. *Signed,* John Jauncye, Dep. Sec. *Scrap.*

617. vi. Deposition of Patrick Downing as to the alienation of Crown Land by George Bascom and others. "Sworn before me, 29 March 1686, the Secretary being absent from his duty. Richard Cony." Witnessed by Bartholomew Sharpe and three others. 1 *p. Endorsed.* Recd. 19 May 86.

617. vii. Testimony of Bartholomew Sharpe as to the unwillingness of the Council of Bermuda to hear his evidence against William Righton. *Dated,* 28 January. *Copy. Endorsed as the preceding.* 1 *p.*

617. viii. Extract from a letter from the Bermuda Company to the Governor, of November 9th, 1670. Setting forth that Richard Stafford had abused his trust as Sheriff in Bermuda by embezzlement and cheating, and was therefore discharged and declared incapable of all public employment. *Certified copy.* 1 *p. Endorsed as the preceding.*

617. ix. Affirmation of John England and others as to John Vivers of the pink America. That his ship was in a wretched condition, that he tried to refuse to carry despatches, and behaved himself uncivilly and disrespectfully towards the Governor. *Signed,* Bartholomew Sharpe, Edward Conway, and four more. *Endorsed as the preceding.*

Bermuda. 617. x. Declaration of Joseph Bridgman. That he heard William Keele and George Bascom say that if Captains Sharpe and Conway opposed the country, the country would oppose them, and would be in readiness in an hour's time; that unless they came civilly they must expect blows; and that it would be a long time before they took Bascom and Keele again. *Scrap. Dated,* 26 February 1686. *Endorsed.* Recd. May 19 1686. [*Col. Papers, Vol. LVII., Nos.* 47, 47 i.-ix.]

April 2.
Bermuda.

618. Bartholomew Sharpe to the Earl of Sunderland. I write to satisfy you further that there is rebellion against the King in all these Islands, and that the people will not believe that any king but Monmouth is living. They demanded possession of the King's magazine and took two of the forts, which however I and Captain Conway recovered. The country is still in arms, and the Governor would be in danger of his life did we not at his request stay here to protect him. I have pried earnestly into their affairs, and they confess that they have nothing to say against the Governor, but that he is not [such] as they would have. *Signed,* Bartholomew Sharpe. 1 *p. Endorsed.* Recd. 18 May 86. [*Col. Papers, Vol. LVII., No.* 48.]

1686.

April 2. **619.** Minutes of Council and Assembly of Antigua. Message of the Assembly. We are resolved to hold by our former opinion touching the payment of matrosses. We desire that Colonel Warner may be summoned before the Council and Assembly to explain his words, that the money is wilfully withheld. Message of the Governor and Council. We send you the order for payment, signed by the Governor and one of the Council, and wish to know whether you will sign it or not. Answer of the Assembly. We cannot consent to this order as we do not conceive it to be written within the meaning of the Act. *Signed,* Richard Ayres, Speaker; Francis Burton, Robert Carden, John Hamilton, Cuthbert Jameson, Thomas Gilliard, Charles Goffe, Samuel Martin, John Morris, George Symes, Aquila Stoughton, Richard Travers, Henry Winthrop. Order of the Governor in Council, that notwithstanding the dissent of the Assembly, the gunners and matrosses be paid as heretofore out of the King's revenue of a pound an acre. Of the Council there were present, Deputy-Governor Edward Powell, William Barnes, Francis Carlile, Archibald Cochran, John Fry, John Parry, Nicholas Raynsford, William Thomas, John Vernon, Samuel Winthrop, John Yeamans. [*Col. Papers, Vol. LVII., No.* 49.]

April 5. **620.** Richard Leacroft to Governor Cony. In answer to the Governor's request, we say we are not satisfied what the King's part is [in the whale fishery], and do not know that he demands any part of it. If the Governor pleases to accept of sixty-two gallons of oil it shall be at his service when he chooses to send vessels to fetch it. *Signed,* Rich. Leacroft. *Certified copy.* ½ *p. Endorsed.* Recd. 19 May 1686. [*Col. Papers, Vol. LVII., No.* 50.]

April 6-8. Nevis. **621.** Proceedings of the Admiralty Court of Nevis, for trial of the ships O'Brien and Esther of Dublin, and of a trading sloop, seized by Captain St. Loe, H.M.S. Dartmouth. 11 *p. Endorsed.* Recd. 20 Sept. 86. [*Col. Papers, Vol. LVII., No.* 51.]

April 8. Antigua. **622.** The Deputy-Governor of Antigua to Lords of Trade and Plantations. Last year's orders given to us by Act of Parliament have not been observed by those that trade hither, but both they and the regulations of the Custom House have been violated by their landing in Ireland. We have not proceeded to the condemnation of any of their ships, but have ordered them to give double bond for the justification of their last year's action and their performance of the law this year. We beg that if fresh orders have been issued they may be communicated to us, that we may not incur the *præmunire* ourselves. I enclose the debates of the Council of Antigua since the departure of Sir William Stapleton. You will see that the Assembly was unwilling to pay the gunners in spite of the order of the Council, being of opinion that such payments were not within the meaning of the Acts of Revenue passed in the time of Henry, Lord Willoughby. *Signed,* Ed. Powell. *Holograph.* 1½ *pp. Endorsed.* Recd. 1 June 86. Read 16 Aug. 86. [*Col. Papers, Vol. LVII., No.* 52, and *Col. Entry Bk., Vol. XLVII., p.* 229.]

1686.
April 8. **623.** Minutes of Council of Jamaica. In consequence of the killing of the rebel negro Coffee, it was ordered that the parties be reduced to three, taken from the Liguania, St. Catharine's, and Clarendon regiments; the rest to be discharged, but the officers to be ready to raise them anew in case of emergency. Resolved to call the Assembly for 1st June to meet the expenses of the rebellion. Order for payment to the purser of H.M.S. Ruby for provisions. Certain of Sir Philip Howard's instructions communicated to the Council. [*Col. Entry Bk., Vol. XXXVI., pp.* 108a-109.]

April 10. **624.** Minutes of Council of Nevis. Petition of the merchants and traders of Nevis to Deputy-Governor Sir James Russell, against the new rule introduced by the King's collector for measuring the sugar exported, not by computation but by weight, for purposes of raising the four and a half per cent. duty. Eighteen signatures. Answer of Henry Carpenter, dated 6 April. I do but obey my orders; and, in reply to the petitioners' suggestion that more beams and scales should be erected, my instructions direct me to see to this, and I have taken measures accordingly, and meanwhile I make allowances which I think are not unfair. *Signed*, Henry Carpenter. The Council decided in favour of the King's collector. Joseph Crispe, Escheator General, applied for possession, in the King's name, of certain vessels seized by Captain St. Loe for illicit trading. The Council decided that his jurisdiction did not apply to captures by sea. 4 *pp.* [*Col. Papers, Vol. LVII., No.* 53, and *Col. Entry Bk., Vol. XLVIII., pp.* 67-70.]

April 10. **625.** Minutes of Council and Assembly of Nevis. The Assembly proposed that their suggestions of 19 January be answered, and that the impost on liquors be farmed out. The Act for restraining rebel convicts was rejected by the Council, and a new Act ordered to be prepared by next meeting. [*Col. Papers, Vol. LVI., No.* 43.]

April 13. **626.** Minutes of Council of Barbados. The Lieutenant-Governor communicated certain letters and instructions from Whitehall, in particular those relating to the voting of presents to the Governor. The King's orders as to the reinstatement of Sir John Witham executed. Order for payment of £300 to the Lieutenant-Governor in reimbursement for money spent out of his own pocket in the public service; and for payment of £140 for repair of fortifications. Liberty granted to Colonel John Waterman and others of St. Joseph's parish, to make a dock and a wharf for boats. Order for repair of Fontabelle House. [*Col. Entry Bk., Vol. XI., pp.* 685-687.]

April 15. **627.** Minutes of Council of Nevis. An Act for the convict rebels transported to serve ten years was passed. Several proposals of the Assembly brought up. The Council dissented from the proposal that no person should buy any parcel of provisions till the importer has been in the Island eight days, and from the proposal touching punishment of negroes. Petition of John Abbot, Coroner, for an annual salary, referred to the Assembly.

The Council concurred in the Assembly's suggestion that the impost on liquor should be farmed out, and appointed a committee to look to the same. Warrant of the Deputy-Governor empowering six persons to appraise the value of the condemned vessel O'Brien. *Dated*, 6 April. Report of the appraisers. *Dated*, 7 April. Warrant for the appraisal of the sloop Blessing, also condemned. *Dated*, 10 April, and report of the appraisers of same date. 5 *pp. Endorsed.* Recd. 20 Sept. 1686. [*Col. Papers, Vol. LVII., No.* 54, and *Vol. LVI., No.* 43.]

April 15. **628.** Warrant of the Proprietors of Carolina, for the delivery of two hundred acres, sold to James Nichols, *alias* Petitbois. *Signed*, Craven, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 78.]

April 20. **Virginia.** **629.** Proceedings of a General Court held at James City. Present Mr. Auditor Bacon and eight more members of Council. The Grand Jury having yesterday returned a true bill against George Talbot for the murder of Christopher Rousby, the prisoner was this day brought up for trial. He pleaded not guilty, and challenged five persons before the jury was made up. Verdict, guilty. The prisoner moved that he might have counsel assigned, and a time fixed for arguing certain points of law. The Court assigned Colonel Thomas Ballard and Mr. Arthur Spicer as counsel, and appointed the following day for the hearing.

April 21. The following points were urged on behalf of the prisoner. 1. That he ought to have been tried in Calvert County, Maryland, where the crime was committed. This was overruled by the Court on the language of the King's Commission. 2. That the indictment was imperfect as not specifying the place of the crime. Overruled. 3. That the first panel of jurors was of less than the legal number of twenty-four. Overruled. 4. That the indictment did not contain the name of the proper county where the crime was committed. Overruled.

April 24. George Talbot was again brought up, and being asked what he could say for himself, said that he had not acted by malice or premeditation, but in the height of passion. Sentence of death was passed. *Certified true copy.* 3¼ *pp. Endorsed.* Recd. 5 July. Read 6 July 86. [*Col. Papers, Vol. LVII., No.* 55.]

April 20. **630.** Duplicate of foregoing. [*Col. Papers, Vol. LVII., No.* 56.]

April 20. **631.** Grant of the Proprietors of Carolina of five hundred acres of land to Charles Colleton. *Signed*, Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 83.]

April 20. **632.** Journal of Lords of Trade and Plantations. The Lords agreed to move the King for the issue of writs of *quo warranto* against Maryland, Connecticut, and Rhode Island, East and West New Jersey, and Delaware. [*See Col. Entry Bks., Vol. LII., p.* 109, and *Vol. XCVII., pp.* 232, 233.]

1686.

Abstract of Colonel Cony's letter of 3 January read. Mr. Vaughan ordered to attend. Colonel Cony to be instructed to take all arms and ammunition into his custody, and to take an account of what have been bought. Further instructions agreed to. The passage in his letter as to the stealing of slaves by Christopher Potter to be sent to the Commissioners of Customs.

The Act of Barbados for the government of convict rebels approved.

Colonel Molesworth's letters of 16 and 17 January read. The Lords approve his action as to the Assiento, and refer the question of the cotton manufacture to the Lord Treasurer.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CVIII., pp.* 257-262.]

April 21. Council Chamber. **633.** William Blathwayt to Henry Guy. Forwarding an extract from Governor Cony's despatch respecting the stealing of two of the King's slaves by Christopher Potter (*see No.* 536), that the officers of Customs may endeavour to recover them. *Draft, with corrections.* ½ *p. Endorsed.* [*Col. Papers, Vol. LVII., No.* 57.]

April 21. Council Chamber. **634.** William Blathwayt to Henry Guy. Forwarding Colonel Molesworth's proposals for erection of a cotton manufacture in Jamaica, for the opinion of the Commissioners of Customs (*see No.* 549). [*Col. Entry Bk., Vol. XXXI., p.* 127.]

[April 21.] **635.** Petition of Francis Burghill to Lords of Trade and Plantations. Submitting certain papers received from Bermuda for consideration. *Signed,* F. Burghill. 1 *p. Annexed,*

635. I. Address of loyalty of the inhabitants of Bermuda to King James II. *Over two hundred signatures, including those of all Governor Cony's enemies, all written in the same hand. Two large sheets. Damaged.*

635. II. Petition of the inhabitants of Bermuda to the King. Complaining of the oppression of Richard Cony, Governor, since the dissolution of the Company, and hoping that their grievances may obtain a hearing. *Signed as No.* I. *Two large sheets. Damaged.*

635. III. "Articles containing many enormous crimes" committed by Richard Cony. 1. He demands and takes new fees. 2. He arbitrarily seizes the goods of others. 3. He obstructs trade and navigation. 4. He imprisons and refuses bail, where bail is allowed by law. 5. He brings vexatious actions and demands large sums. 6. He says that now the Government is in the King's hands a share of land is not worth a pair of shoes. 7. He wastes the gunpowder. 8. He imposes oaths but will take none. 9. He governs without his Council, despite his instructions. 10. He makes the poor work without wage. 11. He forbids the Sheriff to receive the revenue, but takes it into his own hands. 12. He refuses powder to military officers. 13. He sends armed men to execute his will without law, precedent, or reason. 14. He has entertained Bartholomew Sharpe, a pirate.

15. He declares the inhabitants to be rebels and traitors. 16. He vilifies those who come to him for justice. 17. He refuses to go through the Island to view the Militia. *Two large sheets. Endorsed.* Read 21 April and 3 June 86 [*Col. Papers, Vol. LVII., Nos.* 58, 58 I.-III.]

[April 21.] **636.** "Paper concerning the magazine ships." While the Bermuda Company governed they enacted that no tobacco should be exported but in their magazine ships, of which John Bee was and still is master. By the assistance of the present Governor, who continues to enforce that enactment, he has made much profit, at the expense of Bermuda. This matter is a ground for one of the Islanders' complaints against the Governor. Captain Bee, having so great a part in it, cannot be a competent witness. ½ *p. Endorsed.* Presented 21 Apr. 86. [*Col. Papers, Vol. LVII., No.* 59.]

[April 21.] **637.** Petition of John Daniel to Lords of Trade and Plantations. My former petition against Sir Richard Dutton was referred to him for his reply a month ago, but he has not answered yet. I beg your orders, that he may delay me redress no longer. ½ *p. Endorsed.* Read to the Committee Apr. 21 1686. [*Col. Papers, Vol. LVII., No.* 60.]

April 22. Custom House, Dublin. **638.** Commissioners of the Revenue in Ireland to the Lord Lieutenant. On the report of the Commissioners of Customs in England (*see No.* 613), we are still of opinion: 1. That the dispensing with the Act of 22 and 23 Car. II. will profit the revenue of both kingdoms. 2. That the whole Irish Plantation trade will be ruined by the restrictions of that Act. It is conceived, not without good assurance of truth, that during the ten years when that Act was in power not so much revenue was collected in the Colonies as in nine months by the half-duty levied in Ireland. Now if tobacco cannot be brought to Ireland direct, it would be worth considering whether the halfpenny a pound levied in its re-exportation amounts to a greater sum than the half-duty collected in Ireland for the English Treasury. If it does not, then all objections that the Irish Plantation trade is not equally good for England and Ireland are disposed of. Now we appeal to the books of the Customs in England, and we believe it will be found in them that the halfpenny per pound levied on re-exportation of tobacco from England to Ireland from the principal ports has never in any year amounted to £5,000, the sum collected this last year in Ireland; not though the amount apparently exported has been swelled by the corruption of the officers in Bideford, Bristol, Whitehaven, and Liverpool. On the second point we say that the Irish cannot carry on the Plantation-trade without European goods, which by the law can be had nowhere but in England. When therefore they have shipped their servants, horses, and victuals, they must go across to England for European goods, without which the rest of the cargo would be of little account. If they ship the said goods in Ireland the ship and goods are forfeited by law, which plainly shows the obligation to enter outward from England before they can go to the Plantations. This, though very hard, has been cheerfully borne, but we humbly conceive it to be insufferable that they should be compelled to return to England to unload and pay a penny a pound for all tobacco, &c., and enter security to answer the other duties, pay town duties, cranage, wharfage, and other petty charges, which are very considerable in the whole, before the entry inwards can be finished and the goods landed, then enter outwards, reship the whole lading at no small expense, taking a debenture for the half-subsidy paid on importation, not receiving payment of the money for a month, not to mention other tedious formalities of the law. Notwithstanding all objections to the contrary, these difficulties will remain till the law be altered. And even supposing that the bonds and securities, taken at importation for the duty not paid down, will be immediately cancelled upon exportation, yet there is no obligation by law to that effect, and it may therefore be presumed that it will be as often refused as granted. This, taken with the risk and danger of such voyages to and from England, the delay by lying in harbour one, two, or three months, the trouble with contrary winds, all of which will be laid on the Irish merchants, will make the Plantation trade so burdensome and uneasy that it will be impossible to carry it on. It would be worth enquiry for what end or advantage this great hardship and danger must be put on the trading merchants of Ireland, when only a halfpenny per pound is received in England, while the like and perhaps more would be more easily collected for the English Customs in Ireland. Altogether the contest seems to be only whether the halfpenny per pound will be best collected in England or Ireland, which (setting apart the hazarding of the King's duty of twopence a pound payable in Ireland) cannot, in our opinion, be so important as to put difficulty and inconvenience in the way of the trade of a whole nation.

The foregoing shows plainly that it is not for the true interest of England that Ireland should be debarred from direct trade with the Plantations. Nor do we conceive that the dependence of the Plantations upon England will be hindered by the existence of such a trade. England must be the staple of all commodities brought from the Colonies; it must be so since it is the only place from whence all foreign markets (except Ireland) are supplied. Ireland, too, pays the same duties as if the goods were brought through England, so that it is plain that England has the same advantage upon all tobacco, &c., whether it be brought here direct or re-exported from England. The King gains twopence more when the goods are exported to Ireland than to any foreign nation, which we conceive to be his advantage both in Ireland and England. We confess that by the law of Ireland all tobacco imported from England ought to pay the duty rebated by debenture in England, which, when that law was made, was three halfpence per pound. A subsequent law has increased the duty to twopence halfpenny a pound on all tobacco imported from England. This sum was formerly collected, and would still be, had not the Commissioners of Customs in England obtained an abatement of a halfpenny a pound, and issued an order to us not to receive the same. This

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order is not yet revoked, though we beg that it may be, believing it to be for the increase of the revenue here. As to the alleged decrease of trade from Bristol to Ireland in the three years after the expiration of the Act, we conceive that the true cause was the shifting of the Plantation-trade of late years to the northern ports, Chester, Liverpool, Workington, and Whitehaven, as also the great corruption of the officers at Bristol. They were then in combination with the merchants, whereby the revenue was greatly defrauded. The pretence was to ship tobacco for Ireland, whereas in several of the entries at that time only small quantities were shipped, and sometimes none at all, yet the drawback was still obtained by the merchant as if the full entry of the goods had been really exported, which swelled the bulk of that account in that port considerably. One merchant was discovered to have defrauded the revenue of a thousand pounds a year for many years, and obtained the King's pardon to indemnify him from prosecution. We are aware, as are all our merchants, that the restraint of the Plantation-trade is not a seeming but a real grievance. It seems hard that the inhabitants of Ireland, subjects of England and protected by the same King, who obey their King and quietly pay their dues for the support of his Government, should be debarred from that trade, simply because it is alleged that their enjoyment of it will be a disadvantage to the revenue and trade of England, without mentioning one particular wherein either the one or the other will suffer. We hope that our natural advantage of position and cheap provisions cannot be a reasonable objection to our enjoyment of the trade. We neither can nor do trade upon equal terms with England, and cannot rob her of her commerce for the following reasons. 1. The people of Ireland cannot carry any European goods with going to English ports for them, and cannot go trading without them, for New England now furnishes horses, and there is no longer the same demand for provisions. 2. Tobacco imported direct into Ireland from the Colonies ought to pay a penny Plantation-duty and twopence more here, or threepence a pound in all, whereas in England, before the late imposition, it paid but twopence a pound. 3. Tobacco imported into England may be re-exported and a drawback claimed, so England is the staple of the world, Ireland having no such advantages.

Finally, we cannot lightly pass over the closing argument of the English Commissioners, that the late revival of the law was expedient, and should not be cancelled. To meet it the several steps must be traced. By Act of 12 Car. II., Ireland had the same freedom as England to trade with the Colonies. By Act 22 and 23 Car. II., passed for nine years only, and now revived, that freedom was taken away. By Act 25 Car. II., that freedom was partly restored, several new duties being imposed. These new duties were found difficult to collect, and the half-duty in Ireland was substituted, with result that in nine months more revenue was collected in Ireland than in nine years in the Colonies. We urge the continuance of this method. *Signed*, Longford, Rob. Bridges, Will. Strong, Will. Culliford. [*Col. Entry Bk., Vol. XXII., pp.* 191-206.]

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April 22. **639.** Lords Proprietors of Carolina to Governor Joseph Moreton. We have received yours of 14 and 24 October, and notice the presumption of our Secretary, who carried away the records because he was not allowed to act as Clerk of the Sheriff's Court. If he had not afterwards submitted himself we should certainly have dismissed him. The Fundamental Constitutions provide that a court for the trial of civil cases shall be held in every county. We think that a record of the cases and judgments should be kept by the Clerk of that court, who should receive fixed fees. The Prothonotary's place you will abolish. The fees of causes tried by the Admiralty will, till further notice, go the Secretary. You say the majority of the Council decided that Morgan should have leave to wood and water in Carolina, but what had the Council to do with that? What right had they to allow or prohibit the entering of any ship? It is the Governor who is to suffer the penalty if ships are allowed to trade contrary to law, and the consent or advice of the Council will not help him to escape it. We are pleased to hear that you have passed the Act against privateers. Send it here for confirmation with all possible speed, and suffer no pirates or privateers to enter any of your ports. If any should come in, do your best to seize them and try them under the Act. Try also any people in Carolina that hold correspondence with them. We notice your report of the people's aversion to sign the counterpart of the deeds, by which they hold their land from us. We expect that the people who raise these scruples have never had any deeds for lands in England, or know little of conveyances. It is the regular practice here for every man who holds land with a fee-farm rent reserved. We are resolved to adhere to it, and care not how soon any man that scruples to sign the counterpart leaves Carolina, for we cannot think him to be a reasonable or a just man, or to have honest intentions, who would rent land from us and yet scruple to covenant to pay that rent by signing the counterpart of his grant. If we find this humour persisted in, we shall withdraw our power for granting land for servants brought thither. The land is our property, and must be disposed of as we think fit, and not otherwise. The men of whom you complain so much have written to us that they do not think our proposed method of granting land unreasonable. We are informed that divers persons have gotten possession of vast quantities of land, greater than are due to them for the servants they have imported. You will take all imaginable care to prevent and remedy this, or the people of the place will be hindered, and you will remain long a wilderness. And before you pass grants for land to any of these persons, you will strictly examine what right they have thereto, and let none have land but according to our instructions.

We learn that some hold that every member of the Grand Council is, of course, a Justice of the Peace. This is a mistake. Our fundamental laws give the choice of councillors to the people, the powers of which councillors are fixed by those laws; but we did not give them leave to choose Justices of the Peace, nor do we find it in our constitution that the Councillors shall be justices, except those appointed by the Palatine's Court. We notice a violent run against Lord Cardrosse, which dissatisfies us

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much. We would have all persons of quality treated with civility and respect. We desire a report from you on the matter, and meanwhile you will stop all proceedings against him. We observe the appropriation of a fine of ten pounds, set on Mr. Bernard Schenking to be paid to the King, to the fortifications of Carolina. By our patent the sovereignty of Carolina is ours under the King, and the fines and forfeitures are ours; and pray what authority have you to apply our money to any use? Let this be so no more; and since the fine was, as we hear, imposed out of malice, we remit it. You will take great care that the land of the squares about London town be not granted to any but according to our instructions, and you will direct the Surveyor of Colleton County to choose a fit place for a port-town in Asheepoo River, in a healthy situation and well watered, and to lay out squares about it for the convenience of those who will build. We approve of what you have done in respect of Mr. Matthews. We think it best that French immigrants, who have not bought land of us and are only to have what we allow for persons imported, shall be settled together in villages. You will see to this, and choose healthy and convenient situations. By our instructions of March 12th 1684, we fixed Stono river as the north-eastern boundary of Colleton County. We learn that this river is divided into several small branches nearer than thirty miles to the sea. As this may give rise to disputes as to the branch intended for the boundary, we order that the northernmost branch shall be the boundary between Berkeley and Colleton Counties. We hear that Secretary Robert Quarry has delayed to give copies of our instructions to the Governor, gave not true copies when he delivered them, and has otherwise misbehaved himself towards him. We are unwilling absolutely to displace Quarry until we have heard his defence, but seeing how much confusion can be caused by his refractoriness before we can be informed, we empower you, the Governor and Deputies, in case Quarry on receipt of this letter delay to give copies of any papers to the Governor, or fail to obey our orders, to suspend him from all his offices and to appoint others in his room till our pleasure be further known. These others shall be accountable to him for the profits of the offices, he allowing them reasonable recompense for their work during his suspension, as you and the majority of the Deputies think just; and if on hearing your charges and his defence, we think fit to reinstate him, and you still suspend Quarry, you will send home depositions in support of your action. Your address has been presented to the King, and well received. *Signed*, Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., pp.* 79-82.]

April 25.
Bermuda.

640. Depositions of John Cornish. As to the shipping of tobacco and planks by William Righton on board the American ship, which the captain would have received had he not been incapable through drink. *Scrap. Endorsed.* [*Col. Papers, Vol. LVII., No.* 61.]

April 26.

641. Minutes of Council of Virginia. The Lord Treasurer's letter of 21 December touching quit-rents read. The Council return their thanks to the King for his bounty. On the instruc-

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tions as to tribute-beaver in the same letter, agreed to represent to the King that the tribute has always been regarded as the Governor's perquisite, and that it is now, owing to the late treaty and the decay of Indian towns, so much reduced as to be not worth above £50 annually, and to beg the King that it may remain the Governor's perquisite. As to wine licences, the Council point out that there are not above two or three houses in each county where wines are sold, and that these already pay a small consideration for it. [*Col. Entry Bk., Vol. LXXXIV., pp.* 223-224.]

April 27.
Barbados.
642. Lieutenant-Governor Stede to Lords of Trade and Plantations. The repairs to the forts are still in hand. Our militia cannot be so complete as heretofore, owing to the losses by small-pox, until that loss be made good by the supply of other men. Those that we have left are duly exercised, and by constant guards and patrols the negroes and others, and in particular the transported rebels, will now probably live more peaceably than they did before they came hither. They will have no choice of escape till their ten years are complete. The small-pox has not yet left us, though now less fatal than before. The winds are fresh and the weather temperate, the crop of sugar, I believe, the largest ever produced in the Island. I have appointed several Committees of Council and Assembly to expedite the work of collecting the laws. It was begun in Sir Jonathan Atkins' time, but not continued by Sir Richard Dutton. I hope to get it finished shortly. I have communicated the instructions as to the manner of raising money for the public service, and as to gifts to the Governor to the Council, and shall do so to the Assembly at the first opportunity. Since my instructions bid me give my reasons in case I remove any of the judges in the Island, I have to report the removal of Henry St. John, judge of Oistin's precinct, and Charles Collins, judge of Speight's Bay, since Christmas. They were made judges by Sir Richard Dutton, who gave them liberty to practise as lawyers in all courts where they were not judges. This being found very scandalous and mischievous, the Council begged me to restrain judges from practising as lawyers, but as these gentlemen refused to be restrained, I was compelled to remove them. In Mr. St. John's place I have put Mr. Walrond, and in Mr. Collins' Mr. Daniel, both loyal and worthy men, who were put out from being judges by Sir Richard Dutton at the time of his violent prosecution of Sir John Witham, though for no reason that I know of, except that they were Sir John's friends or relations. I hope that this will be approved. I have lately ordered the ministers and churchwardens to give me an account of the condition of the churches, churchyards, and of the store of books and ornaments for the service, also of the teachers of the schools, that I may suppress any who are disaffected or disloyal. *Signed*, Edwyn Stede. *Holograph.* 4 *pp. Endorsed.* Recd. 26 June. Read 6 July 1686. [*Col. Papers, Vol. LVII., No.* 62, and *Col. Entry Bk., Vol. VII., pp.* 374-377.]

April 28.
Jamaica.
643. Lieutenant-Governor Molesworth to the Earl of Sunderland. I have received your letter of 21 October last, and upon

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it beg that if any information be given against me in any respect whatever, I may be heard in answer before anything be determined to my prejudice. I know that the Spanish trade has many enemies in this Island, as have I for favouring it. For instance the *premios*, with which the Spaniards have rewarded my services, are envied by my opposers, who magnify the same above all measure, and would make that appear criminal which is really meritorious. The late factor of the Spanish Assiento, having been displaced by the King of Spain in favour of another, is now the greatest enemy the Assiento has. He joins with the disaffected to that trade, discovering its secrets so as to give them the better opportunity of discouraging it. Knowing how far I have encouraged it already, and how capable I am of doing so in future, their chief aim is levelled at me. But I hope it will be remembered that this person never complained while he was factor for the Assiento, and now does it only because he is prejudiced against it and knows that those who now have the management are sensible of my good service. So I hope that no notice will be taken of such information where the informer has no concern. I am sure no one has cause to complain of hardship from me, for I have been kind even to my own disadvantage. I cannot omit to tell you that Sir Henry Morgan has laboured much (contrary to custom here) to get Mr. Elletson, the suspended lawyer, chosen in a remote part of the Island, where there are but few electors, for the next Assembly, presumably in order to disturb the Assembly's proceedings. They are both great enemies of the Spanish trade, and they are for raising the value of pieces-of-eight to keep money in the country, and for advancing the price of sugar; in all of which they mistake the true interest of the Island, and would cheat others on a false surmise of serving themselves. I have news of an interloping ship, which was violently seized three years ago at the Island of Margarita, but is now offered to be restored. It is a long way to windward, but if on enquiry I find it worth while I shall secure her for the King's service. *Signed*, Hder. Molesworth. *Holograph.* 5 *pp.* *Endorsed.* [*Col. Papers, Vol. LVII., No.* 63.]

April 28. 644. Minutes of Council of Maryland. Letter from Lord Baltimore, dated London, December 1st 1685, reporting the decision of the Lords of Trade and Plantations in his dispute with William Penn. The order in Council (he continues) was passed unknown to me, I not having had any notice to be heard any further in the affair, which surprised many persons. But I hope that before long I shall obtain from the King at least that no more land shall be taken from my charter than what is actually cultivated in Delaware. I was assured that this was the resolution of several of the Lords of Trade, but it was carried against them by some few. Meanwhile I desire you to prevent Penn's people from making settlements near the heads and branches of the rivers that fall into Chesapeake Bay, to encourage our own settlers, and to take care that there are no further encroachments of the Pennsylvanians on the land that was Colonel George Talbot's. Also secure the port near Christiana bridge, for I am resolved, notwithstanding this order, to keep possession of what is surveyed, and to be on the defensive part rather than be forced to complain. Take care that our neighbours do not break in upon the heads and branches of my rivers on the Eastern side, and I shall soon contrive that the division made by the order shall be no great prejudice to my country. *Signed*, C. Baltimore. Copy of the order in Council of 13 November 1686 (*see No.* 456). Resolved by the Council of Maryland that care be taken to obstruct Pennsylvanian encroachments on the frontier. Order to the military officers accordingly. Proceedings of a County Court of Kent County of 25 March 1686 read. Ordered that the Attorney-General prosecute Philip Connor for refusing to be sworn a Justice of the Peace. A letter from Lord Baltimore in favour of Mr. Paul Bertrand, a Protestant parson, recommended by the Bishop of London. Order for new Commissions of the Peace in Ann Arundel County. [*Col. Entry Bk., Vol. LIV., pp.* 1-6.]

April 30.
Whitehall.
645. Order of the King in Council. For the prosecution of writs of *quo warranto* against the Patents of Maryland, Connecticut, Rhode Island, and East and West Jersey. [*Col. Entry Bk., Vol. XCVII., pp.* 233, 234.]

April 30.
646. Memorandum of Lords Proprietors of Carolina. A patent of Landgrave was granted to John Price on this day. [*Col. Entry Bk., Vol. XXII., p.* 83.]

[April ?]
647. Rough notes of amendments for Governor Cony's Commission. 1 *p.* [*Col. Papers, Vol. LVII., No.* 64.]

May 1.
648. Minutes of Council and Assembly of Nevis. On the motion of the Assembly, the Governor and Council agreed that a levy of 26,000 lbs. of sugar, four-fifths should be raised in the country by a poll tax on negroes of sixty pounds, and one-fifth in the towns, whereof one-fourth to be borne by the Jews; and ordered an Act to be drawn to continue the Acts of the Island for two years, pending further orders from the King. [*Col. Papers, Vol. LVI., No.* 43.]

May 1.
Westminster.
649. The Dutch Ambassador to the King. More than two years ago I had the honour to request by memorial, of which copy is annexed, the restitution of the Island of Tortola to its true owners, and that orders might be sent accordingly to Sir William Stapleton, who had taken the Island at the request of the proprietors for some time into his own protection as Governor of the Leeward Islands. The answer then given, and frequently repeated since by word of mouth, was that Sir William Stapleton was on his way home, and that on his arrival he would either be heard or ordered to furnish in writing a report as to the matter. Understanding that Sir William is arrived, I beg to press my former request, that the King will order him to yield up possession of the Island. *Copy. French. 2 pp. Attached,*

649. I. Copy of the former memorial of 16-26 February 1684. 2 *pp. French.* [*Col. Papers, Vol. LVII., Nos.* 65-65 I.]

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May 1. Jamaica. **650.** Lieutenant-Governor Molesworth to [William Blathwayt]. The donation to be given to the parish of St. Andrew has not been diverted, but the grant may be better confirmed by the Assembly, as I hope it will be. I have enquired into the case of Sarah Harrison. Her land, not being built upon, was seized for the King by writ of *cessavit per biennium*, and has been since alienated, so that I consider her to be remedyless. *Extract.* [*Col. Entry Bk., Vol. XXXI., p.* 158.]

May 2. Virginia. **651.** Lord Howard of Effingham to the Earl of Sunderland. Thanks for his lordship's thoughts amid the pressure of great affairs. *Signed*, Effingham. *Holograph.* 1 *p.* *Endorsed.* Recd. 5 July 86. [*Col. Papers, Vol. LVII., No.* 66.]

May 4. **652.** Minutes of Council of Maryland. On the petition of John Ryley and another, Daniel Darnall was bound over to good behaviour. The complaint of Abraham Gale against Henry Staples heard and dismissed. Swithin Wells appeared and was discharged from his bail. Petition of Henry Bray read, and a letter from Lord Baltimore in his favour, concerning the misbehaviour of his attorney, Colonel William Burges. Letter from Lord Baltimore in favour of Mr. Willymot. The Council resolved to comply with his Lordship's commands therein. Order for a writ of error in the case of Nicholas Butterham, guardian to Henry Bassey, an infant. Other legal business. Sheriffs of nine counties appointed.

May 5. Settlement of complaints and claims of sundry litigants.

May 6. The same. Rules for the Land Office. The Kings of Pocomoke and Assateague, with several of their great men and great men of other Indian nations on the Eastern shore, presented themselves for audience. They delivered a present of ten deer skins, and proceeded to make complaint of the encroachments of Charles Scarborough and others of the English, on their village at Askimenokonson, and of damage done to their corn by cattle. Other Indians made like complaints.

May 7. Colonel William Stevens, Colonel William Colebourne, Mr. Thomas Newbold, Mr. John Osborne, and Mr. James Round were ordered to enquire into the grievances of the Indians, and the Indians were informed accordingly. [*Col. Entry Bk., Vol. LIV., pp.* 7-24.]

[May 5.] **653.** Certificate by Edwyn Stede that he received no order from Sir Richard Dutton to negotiate with Sir John Witham for a composition in the matter of salary. *Dated*, Barbados 20 May 1685. 1 *p.* *Copy.* In the handwriting of Sir R. Dutton. *Endorsed.* Recd. as a true copy from Sir R. Dutton, 5 May 1686. [*Col. Papers, Vol. LVII., No.* 67, and *Col. Entry Bk., Vol. VII., pp.* 371, 372.]

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May 6. **654.** Sir Richard Dutton to Lords of Trade and Plantations. Pursuant to orders I offer the following answer to Mr. John Daniels' petition (*see No.* 542). When he declares his loyalty to the King and conformity to the Church of England, I must say that I never knew or believed it of him and thought him unfit for any such office as judge. He was preferred to the post by Sir John Witham in my absence, Sir John having married his wife's sister. I thought him unqualified for the following reasons. He was one of a factious cabal that made it their business to obstruct the Government and circulate scandalous papers concerning it. He was not only of civil company, but is given to debaucheries of drinking, so that often he has been unable to return to his house but has fallen and lain down on the way, to the great scandal of his office as judge. As to his allegations against Sir Timothy Thornhill, I may say that in December 1684 Sir Timothy complained to me that Daniel had slandered him by reporting that he had used blasphemous speeches. I sent for Daniel, who brought with him a scroll of some words, said to have been said by Sir Timothy, but without stating the time nor the persons who were present. I called upon him to supply these, and found that Sir Timothy had used at a christening some vain and inconsiderate expressions, but could not discover what they were, owing to the conflicting reports of them. I concluded that the whole company was so far gone in drink that none could remember what was said. I admonished Sir Timothy, who is a young gentleman, in private, and I believe with good results. Having never thought Daniel fit for his office, I thought him the less so after his endeavour to libel Sir Timothy Thornhill (for the two had quarrelled long before the matter came to my ears) and discharged him from it. If he insinuates that Sir Timothy has given me a present I am ill-used by such an expression. As to the Major-Generalship, I thought it unnecessary, while I was myself in the Island, and could take the military command, but in my absence I judged a Major-General very necessary, since my deputy was wholly without experience in military affairs, and without conduct or activity to serve the King and country. I therefore appointed Sir Timothy Thornhill as the fittest person. *Signed*, Ri. Dutton. *Holograph. 2 pp. Endorsed.* Recd. 6 May. Read 10 May 1686. [*Col. Papers, Vol. LVII., No.* 68., *and abstracted in Col. Entry Bk., Vol. VII., p.* 370.]

May 10. **655.** Journal of Lords of Trade and Plantations. Draft Commission to the Governor of New England read and approved, with a clause requiring him and the Council to continue the existing taxes until he settle new ones. A further clause empowering the Governor and Council to make laws.

The Commission of Colonel Dongan for New York ordered to have two clauses added, conferring similar powers on the Governor and Council.

Lord Howard of Effingham's letter of 10 February read (*see No.* 563). The Lords agreed to advise that the Assembly be dissolved, that the Governor be empowered to appoint the Clerk of the Burgesses in future, that Robert Beverley be declared incapable of

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public employment, and that he be tried for altering the records of the Assembly. Agreed also to advise the repeal of the Act of 1662 as to payment of quit-rents. [*See also Col. Entry Bk., Vol. LXXXIII., pp.* 102-103.]

Draft instructions from the Governor of Bermuda read; the clause as to the magazine ships referred to the Lord Treasurer.

The Dutch Ambassador's memorial of 1st inst. as to the restitution of Tortola read (*see No.* 649). Agreed to refer the matter to Sir William Stapleton on his return from France.

Letter to Colonel Molesworth approved and signed (*see next abstract*).

Letter to Colonel Stede at Barbados approved and signed (*see No.* 657).

Sir Richard Dutton's answer to the petition of John Daniel read, and referred, together with the petition, to the Lieutenant-Governor and Council of Barbados for enquiry and report. [*Col. Entry Bk., Vol. CVIII., pp.* 263-267.]

May 10. Council Chamber. **656.** Lords of Trade and Plantations to Lieutenant-Governor Molesworth. We have received your letters of 16 and 17 January and 16 February last (*see Nos.* 548, 549, 569). The King approves of your care and prudent conduct in the matter of the difference between the factors of the Assiento in Jamaica, and doubts not that by continuance thereof the trade with the Spaniards for negroes will be finally settled. Your proposals as to the cotton manufacture we shall lay before the King at the first opportunity. *Signed,* Jeffreys, Craven, Rochester, Dartmouth, Middleton, J. Ernle, Phi. Lloyd. [*Col. Entry Bk., Vol. XXXI., p.* 141.]

May 10. **657.** Lords of Trade and Plantations to Lieutenant-Governor Stede. The King approves your zeal for his service and the loyalty of Barbados as shown in the style and provisions of the Act for the governing of the convicted rebels transported to the Island. *Signed,* Jeffreys, C. Rochester, Craven, Middleton, Dartmouth, J. Ernle. [*Col. Entry Bk., Vol. VII., p.* 369.]

May 10. **658.** The same to the same. We refer to you herewith the petition of John Daniel for examination and report (*see No.* 542). *Signed,* Jeffreys, Albemarle, Bridgewater, Rochester, Mulgrave, Craven, Ormond, Huntingdon, N. Duresme, J. Ernle. [*Col. Entry Bk., Vol. VII., pp.* 370-371.]

May 10. **659.** William Blathwayt to Henry Guy. Asking the opinion of the Commissioners of Customs as to the employment of a magazine ship for the importation of tobacco from Bermuda. [*Col. Entry Bk., Vol. XVIII., p.* 23.]

[May 10.] **660.** Petition of Theophilus Hopkins to the King. Praying for authority to compound for and receive the revenue called the King's silver, or fines for alienations, which is not collected in the Colonies. The revenue will amount to eight or ten thousand pounds a year, and will be an advantage to the people as giving them the best security in law at little charge, and being no burden upon them. 1 *p. Endorsed.* Recd. and read 10 May 86. [*Col. Papers, Vol. LVII., No.* 69.]

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May 10.
Jamaica.
661. Instructions of Lieutenant-Governor Molesworth to Captain Charles Talbot, H.M.S. Falcon. You will go in company with H.M.S. Drake, to the easternmost end of Hispaniola, and cruise thence northward to the Gulf of Samana, where there is a convenience for careening ships, and where Banister, the pirate may be expected to be found, and search all likely places for him, destroying all pirates and obeying the King's orders as to interlopers, but above all things you will try and catch Banister. If you have no certain intelligence of Banister within five and forty days, you may return off Port Morant, and await further orders. *Postscript.* May 11. Information has just been received from one who has been plundered by Banister. Supplementary orders are added in the light of this information. *Copy.* 3¼ *pp. Endorsed.* Recd. 2 Sept. 1686. [*Col. Papers, Vol. LVII., No.* 70.]

May 11.
662. Instructions from the same to Captain Sprag of H.M.S. Drake. If you should meet with Banister the Falcon will return hither, but you will proceed to Margarita to claim a ship and cargo wrongfully confiscated by the Governor. 1 *p. Copy. Endorsed as preceding.* [*Col. Papers, Vol. LVII., No.* 71.]

[May 10.]
Bermuda.
663. Affidavits taken in the Court respecting the ship Bachelor's Adventure. Statements as to the condition of the ship and the ill-treatment of the crew by the captain. 3 *pp. Endorsed.* Recd. 10 May 86. *Addressed.* "My dear, prithy deliver these to Mr. Thornell; they are about the Court I held for Smailes and Phillips. 3 *pp.* [*Col. Papers, Vol. LVII., No.* 72.]

May 10.
Virginia.
664. The Secretary of Virginia to [the Earl of Sunderland?]. Has nothing to say but recalls himself to his Lordship, and sends a present. *Signed,* Nicho. Spencer. *Holograph.* 2 *pp. Endorsed.* [*Col. Papers, Vol. LVII., No.* 73.]

May 10.
665. Patent granting the office of Escheator-General of the Leeward Islands to William Tyack; with a minute, presenting it, from Attorney-General Sawyer. *Copy.* 2 *pp.* [*Col. Papers, Vol. LVII., No.* 74.]

May 11.
666. Minutes of Council of Maryland. Legal business. Francis Jenkins and John Townsend joined to the Commission for enquiring into the grievances of the Indians. Copy of the Commission. [*Col. Entry Bk., Vol. LIV., pp.* 25-27.]

May 11.
Barbados.
667. Lieutenant-Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the Council's transactions and of imports. *Signed,* Edwyn Stede, Fra. Bond, Robert Davers, Stephen Gascoigne, John Gibbes, John Hallett, Henry Quintyne. [*Col. Entry Bk., Vol. VII., pp.* 380-381.]

May 11
and 12.
668. Minutes of Council of Barbados. A petition of Samuel Hanson for the admission of an appeal to the King granted, and copies of the action ordered to be made out. Five petitions for rebate of duties considered. Order for various payments in compensation for negroes executed. Colonel Peers granted leave of

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absence to go to England. Order as to repairs to Fontabelle house. William Walley's commission of Solicitor General annulled, there being no occasion for such an office. Copy of the King's instructions as to the wording of money-bills delivered to the Assembly, who were at the same time warned that their time was nearly expired, and that they should think what it was necessary to do for the country. On the request of the Assembly, orders for payment of the Clerk and Marshal of Assembly, and for hire of a Committee-room were passed. The Assembly brought up a short Act to make the Lieutenant-Governor a present of £1,000. Copy of the Act. [*Col. Entry Bk., Vol. XI., pp.* 689-701.]

May 12. Whitehall. **669.** Order of the King in Council. Referring the petition of Dame Ayliff Raynsford and William Stokes from a decree given against them in the Court of Chancery of Barbados, to Lords of Trade and Plantations for report. *Signed,* Phi. Lloyd. [*Col. Entry Bk., Vol. VII., pp.* 372-373.]

May 12. Custom House. **670.** Commissioners of Customs to the Lord Treasurer. On the letter of the Irish Commissioners of Revenue of 22 April (*see No.* 638) we report as follows: The burden laid by the revival of the law on the Irish merchants is no more than they endured for the nine years when it was first in force, and we are informed by old officers of the Customs that before that Act there was some restraint laid on Irish trade by Order in Council, which certainly cannot have been so insupportable as is represented, or have continued so long, considering that Parliament was constantly sitting, which on due application would have repealed it. As to the commutation of the Plantation-duty into a half-duty in Ireland and the halfpenny per pound taken off tobacco imported into Ireland from England, these were mere expedients due to the want of the present law, and if the present law were dispensed with the same remedies would be applied. But now there is no need of them, nor is the long reckoning that they make thereon to our present purpose. Again, notwithstanding the great hardships of this law, the Irish will still be better off than the English. In assuming that no tobacco is imported into Ireland but for consumption therein, allowing that it pays threepence of regular duty besides a supposed halfpenny as the cost of unloading in England, the total is but threepence halfpenny a pound, whereas the English pay fivepence a pound, some drawbacks for ready money and waste excepted. We agree that now that the law is revived the halfpenny a pound on tobacco imported from England should be abolished. As to the passage on the real point of contest, which seems to reflect on our management, we shall take no notice thereof, nor retort with the many frauds used by the Irish in counterfeiting English certificates. When the laws are executed there will be no contest who shall collect the halfpenny per pound on tobacco, for it will be collected both by them and by us, and without doubt to the increase of the revenue. The tobacco consumed in Ireland will pay threepence instead of twopence halfpenny a pound, and England will enjoy the benefit intended by the makers of the

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law. The whole body of the Plantation laws is under the care and control of the Commissioners of Customs, whose business it is to correspond with the leading officials in England and the Colonies for the maintenance of an uniform and efficient system. They cannot do this duty nor be responsible for it, if so great and near a kingdom as Ireland be freely let into the trade and suffered to trade directly with the Colonies. Apart from any arguments of ours, the merchants of London, Bristol, and other ports have many others to advance. On the whole therefore we adhere to our original opinion. *Signed*, Ch. Cheyne, N. Butler, J. Werden, J. Buckworth, D. North, W. Dickinson, Tho. Chudleigh. *Here follows copy of Orders in Council of* 6 *and* 22 *March* 1664-5, *referred to in the letter.* [*Col. Entry Bk., Vol. CXVII., pp.* 213-224.]

May 12. Virginia. **671.** The Secretary of Virginia to [the Earl of Sunderland?]. I send the trial of Colonel George Talbot, which was managed with all possible ease, circumspection, and fairness to that unfortunate gentleman (*see No.* 629). He remains now in the custody of the High Sheriff for Gloucester County, Lord Howard having deferred the execution of the sentence till the King's pleasure be known. The trial lasted long, though the case was so plain that it might have been shortened. What Talbot offered for himself was chiefly by way of extenuation, and having heard all the trial I cannot but be charitable enough to say that the fatal stroke was dealt in the height of passion. All is quiet here. I send you a brace of Virginia deer, buck and doe. *Signed*, Nicho. Spencer. *Holograph.* 3 *pp. Endorsed.* [*Col. Papers, Vol. LVII., No.* 75.]

May 12. Whitehall. **672.** Order of the King in Council. Referring a letter from the Lord Lieutenant of Ireland of 16 March with its enclosures (*see No.* 599) to Lords of Trade and Plantations for report. *Signed*, Phi. Lloyd. [*Col. Entry Bk., Vol. XCVII., pp.* 177, 178.]

May 14. **673.** Petition of Thomas Bisse, senior, to the King. Praying for reparation for damage done by the Spaniards in Tortola, either in money or reprisal. *Signed*, Tho. Bisse. *Appended is a computation of the damage claimed, amounting to* £3,977. 1¼ *pp. Endorsed.* Recd. 20 Sept. 86. [*Col. Papers, Vol. LVII., No.* 76.]

May 16. Boston. **674.** Joseph Dudley and Edward Randolph to Lords of Trade and Plantations. H.M.S. Rose arrived here on the 14th inst, with the King's Commission and a copy of the judgment against the late Company of Massachusetts. We are assembled to-day to summon the gentlemen named in the Commission, some of whom live at a distance, for an early meeting, and shall report our proceedings. *Signed*, Joseph Dudley, Ed. Randolph, Secy. 1 *p. Endorsed.* [*Col. Papers, Vol. LVII., No.* 77.]

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May 17. **675.** Commissioners of Customs to Lords of Trade and Plantations. We have enquired into the theft of negroes by Christopher Potter (*see No.* 633), and on examining the mate of the vessel, we learn that the two negroes asked for a passage to England. and that the master left the ship at Milford, where she put in for water, that one of the slaves found a master at Cardigan, and that the other was left at Milford. *Signed*, N. Butler, D. North, Jo. Werden, J. Buckworth, W. Dickinson, T. Chudleigh. 1½*pp. Endorsed.* Recd. 20 May 86. [*Col. Papers, Vol. LVII., No.* 78.]

May 17. **676.** Commissioners of Customs to Lords of Trade and Plantations. As to Colonel Molesworth's proposals for the establishment of a cotton manufacture in Jamaica (*see No.* 549), we beg to report as follows. The grant of a monopoly for a term of years will affect the trade of this kingdom as to the export of manufactures to Jamaica. The more such manufactures are encouraged in the Colonies the less they will be dependent on England. Moreover we have no knowledge how far the grant of such a monopoly may be for the benefit of the trade and inhabitants of Jamaica in general. But if the King be inclined to grant it, we beg that some of the principal merchants trading to Jamaica may first be consulted. We have nothing to object to an Act for burying in cotton and imposing a duty on imported cotton manufactures. *Signed*, J. Buckworth, W. Dickinson, T. Chudleigh, D. North, J. Werden, N. Butler. *Memo.* This report was approved by the Lords on June 3rd. 1½ *pp.* [*Col. Papers, Vol. LVII., No.* 79, and *Col. Entry Bk., Vol. XXXI., pp.* 142, 143.]

May 17. Dartmouth at Nevis. **677.** Captain St. Loe to the Earl of Sunderland. I send this to accompany a deposition which I have made respecting a recent cruise of H.M.S. Dartmouth, and other papers on the same subject. *Signed*, George St. Loe. *Holograph.* 1 *p. Endorsed.* Recd. 20 Sept. 86. [*Col. Papers, Vol. LVII. No.* 80.]

May 17. Nevis. **678.** The Deputy-Governor of the Leeward Islands to Lords of Trade and Plantations. I beg to report myself as Sir William Stapleton's deputy, and to enclose papers giving an account of H.M.S. Dartmouth's adventures with a Spanish pirate. *Signed*, Ja. Russell. *Memo. in Entry Book.* The papers were laid before the King at Windsor on the 25th of July 1686. *Endorsed.* Recd. 23 July 86. [*Col. Papers, Vol. LVII., No.* 81, and *Col. Entry Bk., Vol. XLVII., p.* 198.] *Enclosed,*

678. I. Sir James Russell's instructions to Captain George St. Loe, H.M.S. Dartmouth, to cruise after a Spanish pirate. *Copy.* ½ *p. Endorsed.* Recd. 23 July 1686.

678. II. Duplicate of the foregoing. *Same endorsement.*

678. III. Depositions of Peter Battery. I was a passenger on a sloop bound from Nevis to Anguilla on the 11th instant. When off St. Martin's we were hailed and stopped by a vessel under French colours, which ordered myself and others aboard her. Perceiving her to be a Spaniard, I and three more took to the sloop's boat, being close to land, and got on shore. The ship continued in

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chase of the sloop, came up with her and compelled her to anchor. A boat came ashore and promised us security if we would go on board again, but we refused. Another Englishman presently joined us, who told us that the ship had about one hundred and fifty Spanish mulattos on board and from twenty to thirty guns. *Signed,* P. Battery. Sworn before Henry Carpenter, 19 April 1686. 3 *pp. Endorsed as the preceding.*

678. IV. Deposition of Thomas Arthur. Was with his sloop in a bay of Tortola on 16 April, when a ship came in which seemed to be a privateer. Got up anchor, when the ship's boat gave chase followed by the ship, and overhauling the sloop captured her. The sloop was plundered and the deponent kept prisoner for some days, when the sloop was restored to him, plundered as she was, and he was bidden to go about his business. Depositions of Richard Roach and others to same effect. Sworn before Sir James Russell, 1 May 1686. 2 *pp. Endorsed as the foregoing.*

678. V. Deposition of Captain George St. Loe of H.M.S. Dartmouth. I sailed on 19 April for St. Eustatia, where I learned that the Spanish pirate was gone for Tortola. Sailed thither and found that the pirate had plundered the inhabitants three days before and sailed, it was supposed, for Porto Rico. Searched the Virgin Isles, and on 27 April arrived before St. Juan de Porto Rico. Sent in the Lieutenant to enquire privately after the pirate, but publicly to ask leave to wood and water. The Governor, Don Jaques Martine, willingly granted leave, sent a pilot to bring the ship in, and showed great hospitality. Next day I sent ashore to ask satisfaction for the damage done by the pirate, which the Governor refused, saying that he knew nothing of the pirates, but would hang them all. We were directed where to get water, and when we arrived, were at first complimented, but directly afterwards a large force came out of the gate, seized the boat, my lieutenant, and his men, and hurried them before the Governor. At the same time came a message from the Governor to me to go ashore and show my commission. I replied that if the Governor had anything to say to me he was very welcome aboard, but that I should not budge from the ship, nor wait longer than I thought proper. Meanwhile the lieutenant and his men were examined, the Governor saying that he would treat them as pirates unless he saw the lieutenant's commission. This was sent to him, and also my orders from Nevis, when he ordered them to be discharged but detained their goods, which I had sent ashore to them privately. The Governor then ordered me to sail at once to the port of St. Justas, but this I positively refused to do, and told him that unless the goods he had seized from my men were restored I should sail and require satisfac-

tion for the damage he had done me at another place. I sent two gentlemen ashore to wait on him for his answer, whom he treated very civilly, but asked me not to sail till the morning, as he wished me to carry some letters for him, and gave orders that the goods should be restored and that we should have wood and water. In the evening I sent ashore for his letters, when there came to me a boat with a letter ordering me positively to take the ship to Port St. Justas or his guns should force me, adding that if we could not sail up we must warp up. Seeing that he had raised the whole country and trained his guns on the ship, at seven in the evening I cut my cable and made sail. The forts at once opened fire, which I returned until we were out of range. There were one hundred and fifty guns bearing on the ship, several batteries to pass, the shore lined with small shot, and the channel so narrow that we were forced to go within pistol shot. Two of my men were killed and two more wounded; the ship had several shots right through her, fifty shot through her foresail, and most of her running rigging shot away. We were two hours before we got out of range. I learned however that the pirate that I sought was fitted out at San Juan de Porto Rico. *Signed*, G. St. Loe. Sworn before me, 10 May 1686. *Signed*, Ja. Russell. *Three closely written pages. Endorsed as the preceding.*

678. vi. Deposition of Lieutenant Ignatius Usher of H.M.S. Dartmouth. Confirming the preceding deposition. *Signed*, I. Usher. *Sworn and endorsed as the foregoing.* 1½ *pp.*

678. vii. Letter from the Governor of Porto Rico to Captain St. Loe, respecting permission to wood and water. *Original. Spanish.* 1 *p. Dated*, 8 May [29 April]. 1 *p. Endorsed.* Recd. 20 Sept. 1686.

678. viii. A second letter from the same to the same. 1 *p. Dated*, 9 May [30 April]. *Spanish. Same endorsement.*

678. ix. Deposition of Thomas Bisse, senior, Deputy-Governor of Tortola and the Virgin Islands. I was away from Tortola and had deputed my son to act in my stead, when I heard that a Spanish pirate was cruising among the Virgin Islands, designing to rob the inhabitants of negroes. I therefore embarked in H.M.S. Dartmouth for Tortola, and found myself and the rest of the inhabitants robbed and ruined. At San Juan de Porto Rico I demanded satisfaction of the Governor, but he professed to know nothing of the ship, though he promised to seize her if she came in. Several of the inhabitants however told us that she was fitted out in the port and was daily expected. *Here follows confirmation of depositions in Nos. V. and VI., with the following details of the action.* As soon as our cables were cut and sails set, we were about before the wind, which

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was light. We were not above pistol-shot distance from their cannon, which played upon us immediately, together with volleys of small shot. I judge we had sixty great shot fired at us before we discharged a gun, but when we began we followed it close "with drums, shouts and holloas," till we were out of range. It is surprising that our loss was not greater. *Signed*, Tho. Bisse. Sworn before Sir James Russell. 17 May 1686. 3½ *closely written pages. Endorsed.* Recd. 23 July 86.

678. x. Deposition of Thomas Bisse, junior. On 14 April fifty armed men from a Spanish ship landed in Tortola, beset my father's house and plundered it of everything. They stripped me and bound me, and carried me to a neighbouring plantation, where they took all the negroes they could find, went thence to another plantation where they did likewise, and finally finding no negroes barbarously beat and abused me. They then carried me on board their ship, where they kept me three days, constantly threatening me, and threw a sixteen-pound lead at me which struck me in the back, from which I doubt if I shall ever recover. They also tortured another inhabitant of Tortola. One of the prisoners discovered that they had determined to murder all the English and Dutch on the Island, the ringleader being an English doctor, who had formerly belonged to Captain John Beare. *Signed*, Thomas Bisse, junior. *Sworn and endorssd as the foregoing.* 1½ *pp.*

678. XI. Deposition of Manuel Brun as to the proceedings in Porto Rico. Taken and attested. 2 May 1686. *Dutch.* 3 *pp.*

678. XII. Deposition of Daniel Moöy as to the same. Taken and attested. 3 May 1686. *Dutch.* 3 *pp.*

678. XIII. Deposition of Adrian Sorgeloos. *Dutch.* 3½ *pp.* 18 May. [*Col. Papers, Vol. LVII., Nos.* 81 I.-XIII.]

May 19.
Barbados.

679. Lieutenant-Governor Stede to Lords of Trade and Plantations. I beg your intercession with the King that I may be allowed to receive the thousand pounds lately given me by the Council and Assembly here, which was voluntarily voted without the least motion or application from me, for my maintenance in this very expensive place. Apart from the ordinary expenses of the Government, I have deemed it my duty to stimulate loyalty by observing the days of the King's birth, accession, coronation, restoration, and all such days with the greatest splendour and magnificence that this place could afford. The King's proclamation was done at my charge, though Sir Richard Dutton, who was then Governor, never provided so much as a glass of wine for the people who came from all parts to drink the King's health. It is not to lessen Sir Richard nor to magnify myself that I mention this, for want of conduits, I made the streets run with wine at my expense, nor do I claim merit for any such service. I simply explain the cause why the country has given me this present.

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The Assembly indeed would not have given it were it not that its year of existence is expiring, which is the time when they generally make such presents. I communicated the Royal instructions as to presents both to the Council and Assembly, and shall not touch a farthing of the money until I receive permission. If it be granted I hope that it will not entail any diminution of the salary granted to me by the King. I beg for a warrant for payment of my year's salary due in July next, which I hope may be as much as was allowed to Sir Richard Dutton, my expenses being greater than his. I have made great progress in repairing the forts and settling the militia. I send a list of the fourth and last parcel of convict rebels, with their masters. God be thanked we are now in a healthy condition. I hope that the sugar crop will greatly increase the revenue of the four and a half per cent. duty. *Holograph. Signed,* Edwyn Stede. 4 *pp. Annexed,*

679. I. Address of the Assembly to the Lieutenant-Governor, with an Act for granting him a present of £1,000. Read and passed the Council 11 May 1686. 1 *p.* [*Col. Papers, Vol. LVII., Nos.* 82, 82 I.]

May 20. **680.** Journal of Lords of Trade and Plantations. Petition of Ayliff Rainsford and William Stokes appealing from a decree in the Court of Chancery of Barbados read. The appeal ordered to be heard on the first Tuesday in November.

Report of the Commissioners of Customs as to the slaves alleged to have been stolen by Christopher Potter (*see No.* 674).

Petition of Theophilus Hopkins respecting the King's silver read. Agreed to address a circular to the Governors of the Colonies asking their views thereon (*see No.* 660).

Petition of Charles Henderson read (*see No.* 604). The Governor of Antigua to enquire and report.

Petition of Robert Wright and Francis Pew read (*see next abstract*). A copy to be sent to Sir Edmund Andros for his report. Colonel Dongan's instructions read. A clause to be added repealing the charter granted to the city of New York by the late Assembly. Existing duties and impositions however to be continued by the authority of the Governor and Council. The King to be asked whether Colonel Dongan's present salary of £400 *per annum* shall be increased. The instruction as to books of homilies, &c., to be confined to the orthodox churches.

A clause to be added to Sir Edmund Andros's commission, empowering him to continue any existing taxes in New England until he can report what further taxes can be imposed. All instructions as to the Church in New England to be omitted until Sir Edmund shall have reported as to the state of the Church there.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CVIII., p.* 268-273.]

[May 20.] **681.** Petition of Robert Wright and Francis Pew to Lords of Trade and Plantations. On our appeal against a judgment given against us in the Court of New York, you ordered us to state our exceptions thereto, on which a commission should be issued to the Governor of New York to enquire into the fact. As Sir Edmund Andros is in England, we beg you to summon him

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to give information on the subject and save us the expense of a commission. 1 *p.* *Endorsed.* Read 20 May 86. [*Col. Papers, Vol. LVII., No.* 83.]

682. Copy of the foregoing, slightly abridged, as presented to Sir Edmund Andros. 1 *p.* [*Col. Papers, Vol. LVII., No.* 84.]

[May 20.] **683.** Petition of Sir Richard Dutton to Lords of Trade and Plantations. I learn that my answer to John Daniels' petition is to be referred to Lieutenant-Governor Stede for report. Great animosities have arisen in the Island over the late contention, so that I am likely to be at a disadvantage in verifying Mr. Stede's answer. I beg that the enquiry may be put off until the arrival of the new Governor, who, I understand, is about to be appointed to Barbados. 1 *p.* *Inscribed.* Recd. 19 May. Read 20 May. [*Col. Papers, Vol. LVII., No.* 85.]

May 20. Whitehall. **684.** Memorandum of Lords of Trade and Plantations. On the petition of Sir R. Dutton (*see preceding abstract*), the Lords think his request reasonable, and will order that Sir Richard Dutton's witnesses, as well as all others, shall be admitted to give evidence. *Draft* ½ *p.* [*Col. Papers, Vol. LVII., No.* 86.]

May 20. Whitehall. **685.** [William Blathwayt?] to Sir Richard Dutton. Conveying the sense of the above memorandum. *Draft with corrections.* ½ *p.* [*Col. Papers, Vol. LVII., No.* 87.]

May 20. **686.** Lords of Trade and Plantations to Lieutenant-Governor Stede. On the application of Sir Richard Dutton, we signify to you that such persons as he may appoint shall have liberty to produce witnesses and depositions in the matter of the complaint of John Daniel. *Signed*, Jeffreys, Rochester, Sunderland, Ormonde, Mulgrave, Huntingdon, Berkeley, Preston, N. Duresm, J. Ernle, Edw. Herbert. [*Col. Entry Bk., Vol. VII., pp.* 379-380.]

May 20. **687.** Clerk of Assembly of Barbados to William Blathwayt. Forwarding the journals of Assembly. *Signed*, Ri. Cartwright. [*Col. Entry Bk., Vol. VII., p.* 380.]

May 20. **688.** Lords of Trade and Plantations to the Governor of the Leeward Islands. Enclosing the petition of Charles Henderson for enquiry and report (*see No.* 604). *Signed*, Jeffreys, Rochester, Sunderland, Ormonde, Mulgrave, Huntingdon, Berkeley, Preston, Melfort, N. Duresm. *Memo.* Sir William Stapleton being in France a letter was sent to him there. [*Col. Entry Bk., Vol. XLVII., pp.* 199-200.]

May 20. Barbados. **689.** Lieutenant-Governor Stede to Lords of Trade and Plantations. Renewing request for permission to accept a present from the Assembly (*see No.* 679). *Holograph.* 1½ *pp.* *Endorsed.* Read 16 Aug. 1686. [*Col. Papers, Vol. LVII., No.* 88, and *Col. Entry Bk., Vol. VII., p.* 381.]

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May 20. Albany. **690.** Governor Dongan to Father Lamberville. I have received yours of 10th inst. from the Onandages, and rejoice to hear that you are in good health. You may depend on my good offices and protection from the danger which you apprehend from them. I am sorry that our Indians are so troublesome to the Indians of Canada, but I am told by Christians that according to Indian custom a conquered land is the conqueror's own. I lay no stress on that, but I am still in doubt whether the country where the Indians go to war belongs to the English or to the French King. If I am rightly informed it is dependent on the English King's territory, as it lies west and south of this place, whereas your countries are to northward of us. But that is no material reason for the Indians to disturb the people of Canada, and I shall do my best that they shall disturb them no more, but leave the matter, as I leave all differences between us and the people of Canada, to my master at home. I am sure that Mons. Denonville will do likewise. I have not spoken to the Indians yet, and your messenger being in haste cannot tell me what they say for themselves, but if a right understanding between this Government and that of Canada is to be attained, let the Governor of Canada send to me if any French subjects be disturbed by the Indians, and I will do all justice possible to me, and let him do likewise for me if I send to him. Thus a good correspondence between the two Governments will be maintained. I hear they pretend that they are afraid of the French, but I hope Mons. Denonville will think well before he invades any of the King of England's subjects. I have no time to write to him, but assure him that I will write before I go. I have no other object here in sending for the Indians than to check them from attempting to disturb Canada. *Signed*, Tho. Dongan. I pray you to pray God for me. 2 *pp.* *Endorsed.* [*Col. Papers, Vol. LVII., No.* 89.]

May 21. **691.** Minutes of Council of Maryland. Edward Dennis made Coroner of Calvert County. [*Col. Entry Bk., Vol. LIV., p.* 27.]

May 21. **692.** Minutes of Council and Assembly of St. Christopher's. The Council proposed that in future ships trading to the Island be compelled to carry but one pound of powder per ton. The Assembly concurred. [*Col. Entry Bk., Vol. XLVIII., p.* 55.]

May 22. Albany. **693.** Governor Dongan to Monsieur de Denonville. I have sent for the five Indian nations subject to this Government to order them not to go to the side of the Great Lakes, nor disturb the Indians and traders; but since my arrival here I am informed that our Indians are apprehensive of war, owing to your putting stores into Cadaraqui and ordering some forces to meet there. I know you are a man of judgment and will not attack the King of England's subjects, for I learn that the Indians, with whom our Indians are at war, are to west and south-west of the Great Lakes. If so you cannot in reason have any pretence to them. It is my intention to forbid our Indians to war with the far Indians, but whether they do so or not it does not seem reasonable that you should engage yourself in their quarrel between Indians whom we lay claim to, and our own Indians. Whether those

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territories belong to us or to the French King must be decided by our masters at home, and your business and mine is to take maps of the country as well as we can, and to send them home for the limits to be adjusted there. I am also informed that you design to build a fort at a place called Ohniagero [Niagara] on this side of the lake, without question within my master's territories. I cannot believe that one of your reputation would follow the steps of Mons. de la Barre and be so ill-advised as, at the instigation of interested persons in Canada, to create disturbances between our masters' subjects in that part of the world for the sake of a little peltry, when all differences could be ended by an amicable correspondence between us. I assure you it shall not be my fault, though we have suffered much and daily suffer by your people's trading within our King's territory. I have had two letters from the two fathers that live among our Indians, and find them somewhat disturbed by apprehensions of war, which are groundless, for I am determined that it shall not be begun here, and I hope you will equally prevent it on your side and refer all differences home as I shall do. I hear that one of the fathers is gone to you. I have sent to the other to come here, lest the Indians should insult over him, though it is a thousand pities that those who have made such progress in the service of God should be disturbed, and that by the fault of those who laid the foundations of Christianity among those barbarous people. *P.S.* The rumour of your coming to Cadaraqui has prevented me from sending a gentleman to congratulate you on your arrival in your Government, so am obliged to entrust this letter to the father. *Copy.* 1½ *pp. Endorsed.* From Colonel Dongan. [*Col. Papers, Vol. LVII., No.* 90.]

May 26.
June 5.
Montreal.

694. Mons. Denonville to Governor Dongan. I have received your letter of 13 October last. I remember you when you were serving in the French Army, which is a reason above the friendship of our masters for cordial understanding between us. I do not know for what reason you are displeased with Mons. de la Barre, but I shall not fail in all civility to you. As to the behaviour of Mons. de la Barre, which you think might cause ill-feeling between the two Crowns, I understand you to refer to his broil with the Sonnontouans. I think you know enough of these people to see that it is not easy to preserve a good understanding with folks who have neither religion, honour, nor discipline. Mons. de la Barre has several grounds of complaint against them, and their recent conduct has been no better. They have violated their word by the outrages they have committed on the Outaouacs this winter, perfidiously, and in violation of all good faith. I ask you what can be expected from these people after this? The King my master's attachment to this country is due solely to his zeal for the establishment of religion and the support and protection of the missionaries, whose zeal for preaching the Gospel has condemned them to brutality and persecution from the most savage tribes. You know better than I what they have borne, the tortures that they have suffered, and the fatigues that they undergo daily for the name of Jesus Christ. I know that

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your heart is filled with the glory of that Name. Shall we be so miserable as to refuse them the protection of our masters and to support them and contribute our small help towards the winning of poor souls to Christ? You cannot but lament that far from helping these apostles of the Gospel, we make war against them if we give their enemies opportunity to hinder the work of conversion. Hitherto the avarice of traders has made war on the Gospel by furnishing the tribes with arms to make war against us and with drink to make them mad. You are a gentleman of merit who love religion. Cannot you and I come to an understanding for the maintenance of our missionaries, keeping these savage tribes in awe and respect, which is the only means of making them receive the Gospel? Must it be that the avarice of our traders shall furnish them with arms to destroy their brothers and their own country? See what the Iroquois have done to the poor people of Virginia and Maryland. I cannot understand how a Christian's heart can be so hardened as to see dry-eyed that they are the destroyers of their brothers and countrymen. My trust in your piety has made me open my heart to you. I have done so the more joyfully since you have given me ground for hope that you would have us imitate the close bond of friendship of our master for the re-establishment of the royal authority in England, and the reviving therein of the Gospel in its ancient glory. If my thoughts touch you never so little, communicate yours to Father Lamberville, who is with the Onontaguez. He will let me know what you wish to tell me. God grant that the frankness with which I have written to you may be of profit to you in helping you to gather all your savages within the fold of the Church. I know how much the King has the work at heart. He told me, when I took my leave, that this was the only thing that made him love this wild country.

I am much obliged to you for the news of the punishment of the Duke of Monmouth. Who would have thought that poor unhappy prince capable of such conduct after the favours lavished on him by the late King at the siege of Maestricht. I did not conceive him to have so disloyal a heart. I assure you of my good wishes for the prosperity of your King. Every Frenchman must love and honour him, especially those who had the honour to see him when serving with an army None of his own subjects can wish him better nor respect him more than I. I hear that several of the riff-raff of this Colony, in the hope of getting furs from the Indians, have spread lies and falsehood among them, with the object of gaining their confidence. I remark that the Indians are restless and alarmed for no apparent reason, and I thought it right to warn and inform you that several of those rascals have entered your territory. You will distrust them as much as I, for they are incapable of anything but mischief and they will make mischief for you sooner or later. I wish you would consent to work with me for the expulsion of these rogues. I am ready for my part to find out and compel to stay all that are on their way to your Colony without your leave. One of your officers asks me for two negro slaves, who have deserted him and, as he thinks, have come here. I have caused search to

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be made but cannot find them; if discovered they shall be sent back in irons, and I hope that you will repay me in kind. I know that some of our soldiers that have deserted are with you. I think our masters would be pleased if you would return them, and if an understanding was made between us on the subject. *Signed*, Le M. de Denonville. *French.* 3½ *pp. Endorsed.* Recd. from Colonel Dongan. [*Col. Papers, Vol. LVII., No.* 91.]

May 26. **695.** Minutes of Council of Maryland. Legal business. Order for the soldiers at Christina port to be continued and paid as heretofore; the captain of the port and his four men to be allowed 400 lbs. of meat and four barrels of corn *per annum.* Order for the officer in command to report any encroachment on Maryland in that quarter immediately. Legal business. [*Col. Entry Bk., Vol. LIV., pp.* 27-29.]

May 27. Boston. **696.** Edward Randolph to the Governor and Company of Connecticut. I am heartily glad for your sake of my safe arrival here. Mr. Dudley and his Council entered on their government on the 25th inst. with the general consent and applause of the people. I have a *quo warranto* against your Government and Rhode Island. The King intends to bring all New England under one Government, and nothing now remains for you but to think of a dutiful resignation of your charter. If you try to defend it at law you will find that you are contending for a shadow, and you will lose all your territory from Connecticut to New York and find it annexed to New York. Nothing will save you and New England from such a calamity but timely submission, with an annexed petition asking for liberty of conscience and continuation of your present lands to you, and such other favours as your wants dictate to you. A court is ordered to be erected in Narragansett to assert the King's authority and to check further incursions of the Rhode Islanders. I do not expect that you will trouble me to enter your territory as a herald to announce war. My friendship for you inclines me to suggest to you an accommodation, and I therefore ask you to let me know if you will favour yourselves so far as to come to me to Boston, where you will be witnesses of our peace, and find the King's Government not such a scarecrow as to frighten men out of their estates and liberty rather than persuade them to submit and be happy. We expect ships to sail from hence to England within a month, and your intentions must therefore be fulfilled within that time. Now if besides yourselves and some of the Council in and about Hartford, your Governor, Deputy-Governor, and Major Gold will vouchsafe to come as far as Mr. Richard Smith's in Narragansett and apprise me of the time appointed, I question not but that you will be able to confer with some of the principal gentlemen of this Government. Bless not yourselves by vain expectation of advantage and spinning out of time by my delay. I will engage that though the weather be warm the writs will keep sound and good as when first landed. My care for you has made my letter unduly long. I beg you to appoint a speedy day that I may communicate to you what is not fit to write. Mr. Blathwayt is much your friend. *Signed*, E. Randolph. *Copy. One closely written page. Endorsed.* Recd. 9 May 87, from Colonel Dongan. [*Col. Papers, Vol. LVII., No.* 92.]

May 28. Hampton Court. **697.** Memorandum of Council. That on this day were sent to the Duke of Albemarle the two circular letters ordering the publication of the Royal Declaration of Indulgence, and of the proclamation for the suppression of pirates. The former letter was signed Jeffreys C., Sunderland P., He. Arundel, C. P. S. Powis, Bath, Preston. The second was signed in addition by Albemarle, Fauconberg, Huntingdon, Mulgrave, Dartmouth. [*Col. Entry Bk., Vol. XXXI., p.* 297.]

May 28. Whitehall. **698.** Order of the King in Council. Report of Lords of Trade and Plantations. Recommending that the appeal of Ayliff Rainsford and William Stokes be admitted. *Dated*, 20 May. Ordered accordingly. The appeal to be heard in November and the Governor of Barbados to furnish the necessary documents. [*Col. Entry Bk., Vol. VII., pp.* 373-374.]

May 31. **699.** Earl of Sunderland to Lords of Trade and Plantations. Reporting that the King has appointed the Duke of Albemarle to be Governor of Jamaica. *Signed*, Sunderland, P. ½ *p. Endorsed.* Presented 3 June 1686. [*Col. Papers, Vol. LVII., No.* 93, and *Col. Entry Bk., Vol. XXXI., p.* 220.]

May 31. **700.** Return of the members elected to the Assembly of Jamaica:

St. Catherine's	Samuel Bernard Thos. Ballard, jun. William Bragg
St. Thomas	Richard Risby Edward Stanton
St. David's	Simon Musgrave James Lobley
Port Royal	Thomas Ryves Daniel Hickes Anthony Stoddard
St. Andrew's	John Parnaby Thomas Clarke
St. Thomas in the Vale	George Nedham Fulke Rose
St. Dorothy's	John Bonner Matthew Crew
Clarendon	John Peeke Thomas Sutton
Vere	Robert Varney Robert Smart
St. Elizabeth's	Julius Herring Richard Witter
St. James's	Thomas Clarke James Davis

[*Col. Papers, Vol. LVII., No.* 94.]

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May 31. **701.** Minutes of Council of Jamaica. Return of the members elected to the Assembly, and list of them. Order for payment of three months' salary to the Lieutenant-Governor. [*Col. Entry Bk., Vol. XXXVI., pp.* 109-110, and *p.* 113.]

June 1.
Boston. **702.** The President and Council of New England to Lords of Trade and Plantations. We met at Boston on 25 May, when Joseph Dudley, having been first sworn President, administered the oaths to fourteen members of the Council. Our first duty was to issue a proclamation continuing all constables and Justices of the Peace in their posts. We then committed the militia to trustworthy persons, most of them Councillors, and put the castle of Boston under the command of Captain Wait Winthrop. We find the Government laden with debts and no money to be found, and we are examining the accounts of the Treasury under the late Government. We are providing for the enforcement of the Acts of Trade and Navigation. There is no direction for supply of members of Council except in case of death; we beg that provision may be made to meet cases of absence through sickness and other cause, lest we sometimes fail of a quorum. Mr. Robert Ratcliffe will be duly encouraged by us as you request. This letter will be presented by Mr. Mason, one of our number. *Signed,* Joseph Dudley, William Stoughton, Robert Mason, J. Winthrop, Ed. Randolph, Secy., Jno. Usher, Ed. Tyng, John Pyncheon, Pet. Bulkeley, Rd. Wharton, Jonathan Tyng. 1½ *pp. Enclosed,*

702. I. Edward Rawson to the President and Council of Massachusetts. We have perused the copy of the King's Commission that you sent to us, on which we observe. 1. That there is no fixed rule for free administration of justice, which seems far too arbitrary. 2. That subjects are abridged of their liberty in respect of legislation and taxation, there being no mention of an Assembly in the Commission. We think therefore that it highly concerns you to consider whether such a Commission be safe either for you or for us. If you are satisfied with it, we, though we cannot assent thereto, shall demean ourselves as true and loyal subjects. *Signed,* By order Edward Rawson. *Certified copy.* 1 *p. Inscribed.* A scandalous paper made public in New England.

702. II. Proclamation of the President's Council for continuance of constables and Justices of the Peace in their posts. *Dated,* 25 May 1686. *Printed sheet.*

702. III. Proclamation appointing Richard Smith, James Pendleton, and James Fownes to be Justices of the Peace for the care of the Narragansett Country, and Richard Smith to be Sergeant-Major in command of the militia, pending further arrangements. *Dated,* 28 May 1686. *Printed sheet.*

702. IV. Proclamation for the orderly solemnisation of marriages. *Dated,* 29 May 1686. *Printed sheet.*

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The whole endorsed. Recd. and Read 23 July. Presented at Windsor, 26 July 1686. [*Col. Papers, Vol. LVII., Nos.* 95, 95 I.-IV., and (*without enclosures*) *Col. Entry Bk., Vol. LXI., pp.* 299-301.]

June 1. **703.** Lieutenant-Governor Molesworth's speech to the Assembly of Jamaica. I have summoned you to advise how to secure ourselves and estates against the barbarous treachery of our slaves, to keep them in order and to dissuade others from joining such as are rebellious. You know the expense to which we have been put, the mischiefs that have been committed on divers poor families, and our efforts to suppress the rebels under the disadvantages of no money and a crippled power over the militia. I particularly recommend to you the repayment of the money borrowed for those occasions, and a reward to the services of the poor men who were called out to serve without any pay or any consideration other than you may choose to give them. I ask you to pay the little scores the parties have run into to the poorer sort of planters for provisions, and to confirm the rewards promised by the Council, to enlarge the officers' power over the militia, and to provide a certain fund to meet such emergencies in future. The Receiver-General's accounts will be laid before you to show you the true state of the revenue, and the captain of the forts will, if required, report to you as to the stores of ammunition. I have also to propose to you an Act for ascertaining the servitude of the rebels transported from England, and an amendment to the Act for governing the slaves. Your solicitors will also need money. I know there are those who would create divisions among us; but you have known me twenty years; I am one of you, and I can have no design harmful to the Island in anything that I propose to you. *Copy.* 2½ *pp. Endorsed.* The Governor's speech to the Assembly the pmo. June 1686. [*Col. Papers, Vol. LVII., No.* 96.]

June 1. **704.** The speech of the Speaker of the Assembly of Jamaica to Lieutenant-Governor Molesworth. An expression of loyalty to the King and friendliness to the Lieutenant-Governor, with the usual claim of the Assembly's privileges. *Copy.* 1 *p.* [*Col. Papers, Vol. LVII., No.* 96A.]

June 1. **705.** Minutes of Council of Jamaica. The Lieutenant-Governor's speech to the Assembly and the Speaker's reply, containing special profession of loyalty to the King. Sir Francis Watson sworn of the Council. The Assembly sworn; and Mr. Samuel Bernard approved as Speaker.

June 2. Charles Bourchier sworn as Clerk of the Assembly. Message of the Assembly in reply to the Lieutenant-Governor's speech. A new writ issued for the parish of St. James.

June 3. Message of the Assembly that it had appointed a committee to enquire into the negro rebellion, and asking for information.

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June 4. On the request of the Assembly a joint committee was appointed to inspect the fortifications. [*Col. Entry Bk., Vol. XXXVI., pp.* 111-112 and 113a-115.]

June 3. **706.** Journal of Lords of Trade and Plantations. Lord Sunderland's letter read reporting the appointment of the Duke of Albemarle to be Governor of Jamaica. Draft Commission and instructions ordered to be prepared to bear date immediately from the death of Sir Philip Howard. Report of the Commissioners of Customs on the proposed cotton manufacture read (*see No.* 676). Colonel Molesworth's letter to Mr. Blathwayt of 4 March read (*see No.* 591). Agreed to move the King to pardon the Spanish pirate captain; and also to pardon Charles Hudson, condemned for the use of treasonable words. [*see Col. Entry Bk., Vol. XXXI., pp.* 155, 156, and 175, 176.]

An abstract of Colonel Cony's letter of 1 April read (*see No.* 617). Agreed to recommend that in the confused state of Bermuda Sir Edmund Andros be sent thither on his way to New England with special powers to examine disputes and settle the Government. The complaint of James Smailes (*see No.* 662) to be referred to him.

Draft instructions to Sir Edmund Andros read. The question of his salary referred to the King, with a recommendation that it be paid for the present in England. An instruction to be given to him to appoint churches in New England and report from time to time respecting them.

Report of Commissioners of Customs upon the addresses of Virginia and Barbados as to the new duty on sugar and tobacco. The Lords agree that no alteration should be made until they have tried for at least a year. [*Col. Entry Bk., Vol. CVIII., pp.* 274-279.]

June 3. **707.** Lords of Trade and Plantations to Governor and Council of New York. Ordering transmission of journals and quarterly returns of transactions and of trade. *Signed*, Jeffreys, Albemarle, Rochester, Craven, J. Ernle, Tho. Chicheley. [*Col. Entry Bk., Vol. LXVIII., pp.* 132-134.]

June 3. **708.** Report of Lords of Trade and Plantations to the King. Recommending that Sir Edmund Andros be sent to Bermuda on his way to New England with powers under the great seal to settle all differences. [*Col. Entry Bk., Vol. XVIII., p.* 1.]

[June 3.] **709.** Petition of James Smailes, master of the ship Bachelor's Adventure, to Lords of Trade and Plantations. I was driven into Bermuda by stress of weather, though bound to Carolina. At Bermuda, Richard Phillips, a passenger, asked to have his goods unladen, though he was indebted to me for his passage, and though the goods could not be got at without unloading most of the cargo. The Governor, however, being Phillips' friend, without further consideration committed me to prison. A week after I was brought up to the Sessions House to answer a charge of defamation brought by one John England, master of a small vessel, who laid his damages at £1,000. Judgment was given

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against me by some irregularity, and also in another case brought by the same Phillips, for which the vessel and cargo were seized and I was kept in prison for several weeks. When I was released the Governor employed two pirates, Sharpe and Conway, to prevail with me to take my ship again and give the Governor a discharge, and on my refusal I was committed to prison in a dungeon, loaded with irons and nearly starved. I beg relief. *Large sheet. Endorsed.* Recd. 3 June 86. [*Col. Papers, Vol. LVII., No.* 97.]

June 3. **710.** Commission to Sir Edmund Andros to be Governor of New England. The Governor is empowered to impose taxation by the advice of the Council only. Liberty of conscience is allowed. Marriages performed by magistrates are confirmed. [*Col. Entry Bk., Vol. LXI., pp.* 270-281.]

[June.] **711.** Commission to Sir E. Andros to be Vice-Admiral of New England. *Latin. Undated.* [*Col. Entry Bk., Vol. LXI., pp.* 316-317.]

June 3. **712.** Memorandum of Lords of Trade and Plantations. To move the King for the payment of a salary to Sir Edmund Andros from the Treasury in England until a sufficient revenue be settled in the Colony. The amount was fixed by the King on 7 June at £1,200 a year. [*Col. Entry Bk., Vol. LXI., pp.* 281-282.]

June 3. Boston. **713.** Order of the President and Council of New England for the printing of the President's speech to the Assembly at Boston. Copy of the speeches delivered on May 17th and May 25th, commending the new form of government. *The whole* 3½ *printed pages. Endorsed.* Recd. 5 Aug. 86. [*Col. Papers, Vol. LVII., No.* 98.]

June 4. **714.** Report of the Committee of Assembly on the state of the forts in Jamaica. The forts are in so good a condition that they cannot be improved without making them new. The number of guns and stores is enclosed (*see No.* 716). *Signed,* Cha. Modyford. [*Col. Entry Bk., Vol. XXXI., p.* 168.]

June 6. Windsor. **715.** Order of the King in Council. That in consequence of the confusion of the Government of Bermuda, Sir Edmund Andros do go thither with full powers to hear all complaints and settle all differences, and that his Commission and instructions be prepared as soon as possible. ½ *p.* [*Col. Papers, Vol. LVII., No.* 99, and *Col. Entry Bk., Vol. XVIII., p.* 2.]

June 6. Port Royal. **716.** An account of the ammunition, small arms, and military stores in the Fort Jamaica. Fort Charles, 38 guns mounted, Fort James 26 guns mounted, Fort Carlisle 14 guns mounted, Fort Morgan 16 guns mounted, Fort Rupert 22 guns mounted. Total, 116 guns. 1½ *pp. Endorsed.* [*Col. Papers, Vol. LVII., No.* 100, and *Col. Entry Bk., Vol. XXXI., pp.* 168-171.]

June 8. Jamaica. **717.** Lieutenant-Governor Molesworth to the King. Hearing that on passing our accounts at the Treasury some doubts did arise concerning my salary, I beg you to take the matter into your own hands and to hear from Sir Charles Littleton the reasons

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that induced me to believe that the whole belonged justly to me, and therefore to live up to it. If I am mistaken I beg you to supply by grace what I want by right, for there is no one but myself who has the slightest pretension to it. *Signed*, Hder. Molesworth. 1 *p*. *Endorsed*. [*Col. Papers, Vol. LVII., No.* 101.]

June 8. Jamaica. **718.** Memorandum by Lieutenant-Governor Molesworth of his reasons for taking the whole salary of Governor. Stating the terms of his commission and the inapplicability of the rule as to half-salary to his case. Four heads. *Signed*, Hder. Molesworth. 1 *p*. *Endorsed*. [*Col. Papers, Vol. LVII., No.* 102.]

June 9. **719.** Lords of Trade and Plantations to Lieutenant-Governor Stede. We send you for your report copy of a petition from Theophilus Hopkins, setting forth that the execution of fines and recoveries in the Plantations will be of great ease to the King's subjects there. *Signed*, Jeffreys, Albemarle, Craven, Rochester, Ormonde, J. Ernle, Tho. Chicheley. [*Col. Entry Bk., Vol. VII., pp.* 377-378.]

June 10. **720.** Journal of Lords of Trade and Plantations. Lord Clarendon's letter of 16 March read (*see No.* 599) with its enclosures, and the reports of the Commissioners of the Customs in Ireland of 29 March and 12 May (*see Nos.* 613, 670). The Lords agree to advise that the revived Act be not dispensed with.

Report of the Attorney-General on Mr. Richard Wharton's draft for confirmation to himself of Pojebscot, Maine. Ordered that it be referred to Sir Edmund Andros for report on his arrival in New England.

Memorandum of documents read and received. [*Col. Entry Bk., Vol. CVIII., pp.* 280-284.]

June 10. Council Chamber. **721.** Circular. Lords of Trade and Plantations to the Governors of the Colonies. Forwarding copy of the petition of Theophilus Hopkins (*see No.* 660) for report. *Signed*, Albemarle, Middleton, Craven. [*Col. Entry Bk., Vol. XCVII., pp.* 234-235.]

June 10. **722.** Lords of Trade and Plantations to the Secretary of New York. Ordering transmission of quarterly returns of the transactions of his office. *Signed*, Jeffreys, Albemarle, Rochester, Ormonde, Craven, J. Ernle, Tho. Chicheley. [*Col. Entry Bk., Vol. LXVIII., p.* 135.]

June 10. **723.** Lords of Trade and Plantations to Governor Dongan. Asking for quarterly accounts of transactions. *Signed*, Jeffreys, Albemarle, Craven, Rochester, Finch, J. Ernle. [*Col. Entry Bk., Vol. LXXIV., pp.* 1-2.]

June 10. **724.** Commission to Colonel Thomas Dongan to be Governor of New York. [*Col. Entry Bk., Vol. LXXIV., pp.* 2-17.]

June 10. **725.** Minutes of Council of Assembly of St. Christopher's. Proceedings of a Court of Admiralty for the condemnation of a sloop unqualified to trade. [*Col. Entry Bk., Vol. LXXVIII., p.* 57.]

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June 10. **726.** Minutes of Council of Jamaica. Colonel Thomas Freeman took the oaths of councillor. Report of the Committee on Fortifications. *Dated*, June 4 (*see No.* 714). [*Col. Entry Bk*, *Vol. XXXVI.*, *pp.* 115-117.]

June 10/20. **727.** Mons. de Denonville to Governor Dongan. I have received yours of 22 May. You will see from what follows that your intelligence of our pretended designs is baseless, and that the accounts given you by our deserters should be most cautiously received. You are too old a campaigner to take umbrage at the stores which I have sent to Katarokouy for the subsistence of my soldiers there. You understand the Indians well enough to know that it would be most imprudent for me to leave this post without stores and ammunition for a year, and, as you know, one cannot get up to the post at all seasons of the year. Had I to transport stores thither for a large force I should have chosen a different mode of transport. The perfidy inseparable from a people that has no religion sufficiently forbids me to trust them and justifies me for taking precautions against their unrest and caprice. On the 6th inst. I informed you of my master's zeal for the advancement of religion. I trust that of your piety you will not oppose the work. Can the missionaries have as great success so long as the Indian villages are allowed no rest? When I arrived here I thought that peace between the Iroquois and ourselves and allies was assured. The behaviour of the Iroquois at this juncture makes me ask you whether you think that I am wrong to distrust them. They are alarmed at the prospect of war with me. Nothing but their own consciences can have created this alarm in them. I have not taken the least step that could have caused it, and I wish for nothing better than to see peace established in the country. What have I done to give them the least uneasiness, and what do they want? As regards your claims to territory, no doubt you are not well informed as to the possessions taken by the King, my master, and of the establishments which we have settled in the country and on the lakes. I gladly consent to refer all such difficulties of boundaries to our masters, and I wish nothing more than that you and I may live on as good terms as they. But meanwhile it would be very fitting for so honourable a gentleman as yourself not to give protection to all the rogues and rascals who desert us to take refuge with you, and who to gain themselves some favour in your eyes think they cannot do better than relate to you impertinences against us, impertinences which will never end so long as you are willing to listen to them. My letter of 6 June should suffice to apprise you fully of my intentions. I should not have needed to answer your letter had I not wished to mark my respect for you. *Signed*, le M. de Denonville. *French.* 3 *pp. Endorsed.* [*Col. Papers, Vol. LVII.*, *No.* 103.]

June 11. Hartford. **728.** The Governor and Council of Connecticut to [Edward Randolph?]. After some delay owing to the illness of the Governor and the distance of the residences of some of the Council, we have met to-day and considered your letters of 27 May and 2

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June. We rejoice to hear of your safe arrival from England, and of the peaceable accession of the President and Council of New England. We knew not what to reply to you concerning the *quo warranto* against the Colony, but you may be sure that we shall demean ourselves as good and loyal subjects of the King. *Signed,* John Allyn, Secretary. *Copy.* 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVII., No.* 104.]

June 14. New Haven. **729.** The Governor of Connecticut to Governor Dongan. I am glad to hear of your safe return from Albany., As to Mr. Randolph's letter, written in great haste and as a private letter to myself and two others in my absence, we know not of any calamity to New England, if Connecticut Colony must fall and part of it to westward; but it may be as easy for us to fall that way as eastward. I think I may say that Mr. Randolph's endeavours to move us to incline eastward have not prejudiced us against you or your Government, with whom we have been, and are, on so friendly terms. Mr. Randolph informs us of a *quo warranto* against us, but we have seen nothing yet, and we remain as ordered by proclamation, awaiting with silence and patience what may come, and hoping that we shall approve ourselves good and loyal subjects. Pray commend us to the royal protection by the next ship, and thank you for your good counsel. *Signed,* R. Treat. *Copy, unpunctuated and hardly intelligible in parts.* 1 *p.* *Endorsed.* Read 9 May 1887. [*Col. Papers, Vol. LVII., No.* 105.]

June 14. Custom House. **730.** Commissioners of Customs to Lords of Trade Plantations. We have considered the proposal to employ a magazine-ship for Bermuda and compel them to bring the tobacco to English ports, and think it to be good, provided that the master of the ship give bond according to the Act of Navigation. Since we wrote this report a Mr. Bysshe and a Mr. Burghill appeared saying that they had something to offer against the proposal, but though desired to put the same into writing they have so far sent us nothing. *Signed,* Ch. Cheyne, D. North, Jo. Werden, N. Butler, T. Chudleigh. 2 *pp.* *Endorsed.* Read 6 July, 1686. [*Col. Papers, Vol. LVII., No.* 106, and *Col. Entry Bk., Vol. XVIII., pp.* 23-24.]

June 15. Jamaica. **731.** Lieutenant-Governor Molesworth to [William Blathwayt]. The Assembly met on the 1st instant. I was led to expect a great deal of trouble from them, more pains having been taken in the choosing of them than of any previous Assembly, thereby to serve the interest of the discontented party who do all they can to obstruct affairs in general and to make a disagreement between the Governor and the people, though as I hope without success. I called them only to do their own business, so they must be wilfully blind if they can be led away by false pretences against the common good. Yet such things have happened on sudden expected changes, in the hope of doing better or of gratifying the man that will best be able to serve them. I have been unfortunate throughout my government in being considered one who may at any time be removed, and this has been a great dis-

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advantage to me. At the first meeting I told them plainly what I expected from them, which they took so well that they sent me their thanks by half the house, and asked for a copy of my speech. So far they have done little beyond the appointment of committees. They have prepared two bills, one to deal with transported rebels, and another for recovery of fines or forfeitures. They appointed a committee to view the fortifications, which reported as favourably as possible and gave an account of warlike stores. The committee in the Receiver General's accounts return no money in cash, and the revenue is behindhand, though when the office was delivered over to him 2,400*l.* in cash and good bonds and Martin's debt, which was ten or eleven hundred more. However the Assembly is satisfied so we shall not differ upon these accounts. *Extract.* [*Col. Entry Book, Vol. XXXI., pp.* 158-161.]

June 17. **732.** Colonel Beeston's receipt for the new Great Seal of Jamaica. *Signed*, Wm. Beeston. ½ *p.* [*Col. Papers, Vol. LVII., No.* 107, and *Col. Entry Bk., Vol. XXXI., p.* 153.]

June 18. **733.** Minutes of Council of Jamaica. The Assembly sent up two Bills for ascertaining the servitude of rebels from England, and for recovery of fines and forfeitures, which were read and amended. [*Col. Entry Bk., Vol. XXXVI., pp.* 116a-117.]

June 19. Hampton Court. **734.** Order of the King in Council. Report of Lords of Trade and Plantations. We recommend that the Act of 22 and 23 Car. II., lately revived, be not dispensed with (*see No.* 670). *Signed*, Jeffreys, Sunderland, Rochester, Craven, Middleton, Godolphin, J. Ernle. Ordered accordingly. [*Col. Entry Bk., Vol. XCVII., pp.* 225, 226.]

June 19. Boston. **735.** The President and Council of New England to Lords of Trade and Plantations. We beg to press our former representations as to the necessity of a supply of members for the Council. and beg to nominate eight persons as fit to fill vacancies. Mr. Bradstreet, Major Saltonstall and Dudley Bradstreet do not accept the Commission. Mr. Champernoun is too weak and unwell to act. We suggest to take their places, Samuel Shrimpton, William Brown, junior, James Russell, Samuel Sewall, Simon Lynds, Thomas Graves, Nicholas Page, Richard Smith. *Signed*, Joseph Dudley, William Stoughton, J. Winthrop, Ed. Randolph, Secy., Wait. Winthrop, Rd. Wharton, Jno. Usher, Edward Tyng. 1 *p. Endorsed.* Recd. 6 Aug. 86. [*Col. Papers, Vol. LVII., No.* 108, and *Col. Entry Bk., Vol. LXI., p.* 303.]

June 20. Windsor. **736.** Order of the King in Council. That the fort and county of Pemaquid shall henceforth be annexed to the Government of New England. *Signed*, John Nicholas. ½ *p.* [*Col. Papers, Vol. LVII., No.* 109, and *Col. Entry Bk., Vol. LXI., p.* 282.]

June 20. **737.** Additional instructions to Governor Dongan for the enforcement of the Acts of Trade and Navigation. [*Col. Entry Book, Vol. LXVIII., pp.* 136-147.]

June 21. **738.** The King to the Governor of New York. Announcing the appointment of William Blathwayt as Surveyor and Auditor-

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General of the royal revenues in America, and ordering obedience to his orders and attention to the business of those revenues. *Countersigned*, Rochester. [*Col. Entry Book, Vol. LXXIII., pp.* 18-21.]

June 20. Windsor. **739.** The King to Lieutenant Governor Molesworth. Granting a pardon to the captain of the Spanish galley, condemned for piracy. *Countersigned*, Sunderland. [*Col. Entry Book, Vol. XXXI., pp.* 151-152.]

June 20. Windsor. **740.** Warrant of the King to Lieutenant Governor Molesworth for the use of the new Great Seal of Jamaica. *Countersigned*, Sunderland. [*Col. Entry Book, Vol. XXXI., pp.* 154-155.]

June 22. Jamaica. **741.** Henry Egleton to William Blathwayt. I send the Minutes of Council; those of the Assembly will follow later. Last Sunday we received the news that on Sir Philip Howard's death the King had appointed the Duke of Albemarle to this Government. This has as much pleased as surprised Colonel Molesworth, who, wishing to return to England, could not make a more honourable dismission of his government. I beg you to mention me to his Grace for his favourable countenance. *Holograph* 1 *p. Endorsed.* Received 2 Sept., 1686. [*Col. Papers, Vol. LVII., No.* 110, and *Col. Entry Book, Vol. XXXI., p.* 176.]

[June 26.] **742.** Petition of the Quakers in Barbados to the King. We beg to represent our sufferings for conscience sake, and to pray that the late Act for the settlement of the Militia may not be confirmed. 1 *p. Annexed,*

742. I. "The case of the people called Quakers in the Island of Barbados, humbly presented to the tender consideration of the King and Council." Being unwilling to bear arms for conscience' sake we have for years been grievous sufferers through an Act to settle the Militia by which we have lost some thousands of pounds sterling. But our present complaint is especially of a late Act of 17 June, 1685, wherein the penalties exceed those of all former Acts. If confirmed it will not only disable us from managing our plantations, but also impair the King's customs. For it not only provides that any footman not appearing in arms when summoned shall forfeit five shillings and every horseman ten shillings, but by a clause aimed at stubborn and wilful offenders the penalty is increased fourfold upon such as do not send men at all. The forfeiture of a footman here is for the first offence ten and for the second twenty shillings, and of a horseman twenty shillings for the first offence and forty for the second. We are required by law to appear in arms six times a year as well as on extraordinary occasions, so that a poor man cannot earn enough in the year to satisfy these demands. Again, the Act requires every apprentice to serve as well as his master, and on his failure to appear the master is fined; consequently we are unable to take apprentices and are obliged to take negroes, whereby our young people are forced to

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leave the Island. The execution of the Act also is severe, our most serviceable negroes, worth forty or fifty pounds, being taken and sold for twenty, and our negro women torn from their children and sold also, which causes great distraction in our negroes and loss to us. The penalty might very well be levied on sugar. Our horses and cattle are seized and sold in the same way, and we are ruined, without profit to the King and country. We are also persecuted for refusing to swear and to observe days, and many have suffered and are liable to suffer for refusing to pay the priests' wages whom their conscience will not permit them to hear. We beg relief, for we suffer not from wilful opposition but only from a tender conscience towards God. 3 *large pp. Endorsed. Recd.* 26 *June.* Read 6 July, 1686. [*Col. Papers, Vol. LVII., Nos.* 111-111 I.]

June 29. **743.** Minutes of Council of Jamaica. James Davis sworn of the Assembly. The two Bills sent up at last meeting (*see No.* 733) read a second time. Return of Charles Knight as member for St. James's.

June 30. The report of the two frigates sent after the pirate Banister heard. Resolved that they be sent again, but with one sloop only. Order in Council of 19 March 1686 read, directing enquiry to be made into the petition of Roger Elletson for readmission to his practice at the bar. Copy of the petition. Amendments to the Bill for ascertaining the servitude of rebels. Order for an embargo on all ships of the harbours of Port Royal.

July 1. Charles Knight sworn of the Assembly. The bill for recovery of fines amended and read a third time. Message from the Assembly proposing to lay a tax on imported negroes, an additional duty on wines, a duty on goods imported in foreign bottoms, and a duty on the export of money and bullion.

July 2. The Assembly attended, and the Lieutenant Governor informed them that three of their proposals were inconsistent with his instructions, and that the additional duty on wines would not be approved by the King. Message from the Assembly asking for an adjournment; which was agreed to. [*Col. Entry Book, Vol. XXXVI., pp.* 117-123.]

July 1. H.M.S. Dartmouth. **744.** Receipt by Captain St. Loe for stores received from Deputy Governor Sir James Russell. *Signed*, John Chapman. *Countersigned*, G. St. Loe. 1 *p. Endorsed.* Received 22 March, 1686-7. [*Col. Papers, Vol. LVII., No.* 112.]

July 1. **745.** Minutes of Council of Virginia. Order in Council summoning the Assembly for 20 October next. Order directing the King's collectors to instruct ship's masters to be cautious in divulging news and reports. Mr. Mein's instructions read delivered to the collectors. Order to parish ministers to send a return of christenings and burials annually to the Secretary's Office. The heir of the Queen of the Pamunkey Indians to be summoned in order to be confirmed in his government; the Indian Harry's wife to attend at the same time to be examined as to what is to become of Colonel Byrd's Indians. Orders for the King to be moved to allow an Act to advance the value of pieces-of-eight, and for an address as to Thomas Sandys's petition (*see next abstracts*). [*Col. Entry Book, Vol. LXXXIII., pp.* 225-231.]

July 2. Virginia. **746.** Address of the Council of Virginia to the King. Asking permission for the Assembly to pass an Act advancing the value of pieces-of-eight and of French crowns to five shillings English sterling, the King's dues being advanced proportionately that his revenues may not be diminished. Recd. 5 Sept., 1686. *Copy, 2pp.* [*Col. Papers, Vol. LVII., No.* 113, and *Col. Entry Book, Vol. LXXXIII., pp.* 114-115.]

July 2. **747.** Address of the Council of Virginia to the King. Against granting the petition of Thomas Sandys for leave to ship 800 lbs. of tobacco free of duty, as a bad precedent. [*Col. Entry Book, Vol. LXXXIII., pp.* 115-117.]

July 3. Hampton Court. **748.** Order of the King in Council. Referring the petition of the inhabitants of New Hampshire to Lords of Trade and Plantations for report. *Signed,* Wm. Bridgeman. 1 *p. Annexed.*

748. I. The petition referred to. We have lived for fifty years in peaceable possession of the lands now challenged by Robert Mason. On the creation of the new Government the Governor was instructed to settle and quiet the people in respect of Mr. Mason's title or to report the case impartially to the King. On the contrary Mr. Mason has been permitted to bring actions wherein the Government have arrogated the power of an absolute judgment, and have given costs of ten and twenty pounds in cases sometimes where the damage did not exceed two shillings. He has also challenged fenced and improved lands contrary to royal order. For the last two years and more one jury, and very often one foreman, has generally been returned to serve in all the issues connected with Mr. Mason's title, and this foreman was tampered with by Mason. Again, notwithstanding the royal prohibition of any further proceedings in Mr. Mason's title until the case were brought before the King in Council, Deputy-Governor Walter Barefoot has permitted executions to be levied and persons to be imprisoned with excessive costs and damages. We gratefully acknowledge your goodness in allowing Mr. William Vaughan to appeal against several harsh and oppressive judgments here; and we send Mr. Nathaniel Weare to represent our grievances. *Nine columns of signatures and marks, the first on the list that of* Richard Waldern. 3 *large sheets. Endorsed.* Read at the Committee 6 July 1686. The appeal heard 6 Nov. 1686. [*Col. Papers, Vol. LVII., Nos.* 114-114 I., and *Col, Entry Bk., Vol. LXVII., p.* 156.]

1686.
July 3.
Rhode Island.

749. Walter Newbery to George Whitehead. Ten days ago a writ of *Quo Warranto* against our charter arrived. We are all agreed not to defend it but to submit to the King's pleasure, for which the enclosed address has been prepared. *Extract. Copy.* ½ *p. Endorsed.* [*Col. Papers, Vol. LVII., No.* 115.]

July 3.
Newport, Rhode Island.

750. The Governor and Company of Rhode Island to the King. We have received on the 22nd June the *Quo Warranto* against our charter. The time limited for our appearance was expired before the writ reached our hand. We have proclaimed that we shall not stand suit against you notwithstanding, but beg for your princely bounty in our charter contained, the rather for we are a loyal people and despised of the neighbouring colonies. Before we received the writ we learned from Mr. Dudley that the greater part of our Colony, called the King's Province, was taken from us; which we did not oppose. We beg for our former privileges in religious matters and forming of oaths and attestations, that Newport may be made a free port, that no persons may be set over us who suit not our nature and constitution, and that our past failings may not be harshly judged. *Signed,* Walter Clarke, Governor. *Large sheet. Endorsed.* Read 7 Sept. Presented at Windsor 12 Sept., 1686. [*Col. Papers, Vol. LVII, No.* 116, and *Col. Entry Book, Vol. LXI., pp.* 304-305.]

July 3.
Milford.

751. The Governor of Connecticut to Governor Dongan. I beg your favour on behalf of one Daniel Bull, of Seabrook, a constable, who has by misfortune suffered a notorious rogue to escape from his custody. He craves for your help and that of your inferior officers in following the culprit westward. You may rely on similar help from us in a similar case. Mr. Randolph in his last letter to the Governor and Company seems to wind up his resolve to report simply as a private gentleman instead of serving his *Quo Warranto*, though he has the writ with him. The receipt of his letter is owned by our Council, and this he says will be sufficient to justify him at Whitehall without showing any further authority from the King. This proceeding we do not understand, for the King's proclamation was that we should remain as we are until further signification of his pleasure. So there we stand and must remain for aught I know. I have called a Court for the 6th inst. to consult, but what the issue will be I know not. I should be glad of your advice. *Signed,* R. Treat. *Copy.* 1 *p. Endorsed.* Recd. 9 May, 1687, from Colonel Dongan. [*Col. Papers, Vol. LVII., No.* 117.]

July 3.
Hampton Court, Treasury Chambers.

752. Henry Guy to William Blathwayt. Forwarding report of Commissioners of Customs on the magazine ship for Bermuda (*see No.* 730). ½ *p. Endorsed.* [*Col. Papers, Vol. LVII., No.* 118.]

July 4.

753. Earl of Sunderland to Lords of Trade and Plantations. Ordering a commission, etc., to be prepared for Sir Robert Robinson who has been appointed Governor of Bermuda. *Signed,* Sunderland. 1 *p. Endorsed.* Read 6 July, 1686. [*Col. Papers, Vol. LVII., No.* 119., and *Col. Entry Book, Vol. XVIII., p.* 3.]

1686.
July 5.
Jamaica.

754. Lieutenant Governor Molesworth to [William Blathwayt]. I received intimation from Colonel Stede as to one John Webber who had passed by Barbados from this place and was strongly suspected to be the man excepted from the King's pardon. I have caused him to be found out and apprehended. It seems that he shipped himself aboard a Guinea ship at the port of London in June 1685, and had confessed to a woman in Barbados that he was born at Lyme, was in the country at the time of the late rebellion, escaped to London and then took ship; but as this was done before the defeat of rebels, he would have it that he cannot be the person excepted, there being, moreover, others of his name in those ports. He lately sent me a petition for leave to go home on the same ship, giving security for his surrendering himself to the Secretary of State. I thought this the most reasonable way of bringing him to justice and consented, if the security was sufficiently good, but have not heard from him since. I shall send him in that or another ship under the best security that I can get.

The Assembly have considered that part of my speech which deals with raising money for the expense of the negro-rebellion, but though unanimous that the thing shall be done, cannot agree as to the manner of doing it. They are willing to have the parties paid and their estates secured, but they do not wish to be at any charge themselves, and therefore have been very industrious in finding out such other ways of doing it as may best answer that end, without regarding whether they be reasonable or practicable. But being hotly carried in by the two lawyers, Elletson and Musgrave (chosen on purpose to obstruct the Government as much as possible) with that plausible notion of saving the country money, the Grand Committee decided to lay a duty on exported negroes, an additional duty on wine, an impost on all goods imported in foreign bottoms (viz., the Assiento), and an impost on money and bullion exported. When this was reported by the Chairman, some of the House (by my order) declared they had heard me say that most of these proposals were contrary to my instructions, and that I could not assent to them, so that it would be useless to proceed further with them. They then sent me a message, asking how far their proposals were consonant with my instructions. I answered, with all candour and integrity, that three of the four were inconsistent with my instructions, and as to the fourth, the additional duty on wines, though I had no special instructions, yet my reason told me the King would never consent that the money raised by duties on foreign merchandise should be applied to such a use as securing ourselves against our own slaves, and that it would therefore be better to add it to the revenue. My message arrived at a time when the Speaker was taken ill. He desired them to choose another, but they refused, and moved for an adjournment for a week, alleging the approach of Quarter Sessions in all the neighbouring districts. I consented, and they accordingly adjourned without further debate on my message. Mr. Elletson, four days ago, showed me an Order in Council upon his petition for re-admission to his practice, whereby it was referred to me either to restore him or to show good reason

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to the contrary. After consultation with the Council, I agreed to answer that consideration thereof would be deferred until the close of the Session of the Assembly. He then brought me a petition for a more positive answer, which I declined to give. I think this was reasonable in the present conjuncture.

In the action against Banister Captains Sprag and Talbot spent nearly all their powder. Sprag had only one round left and Talbot not more than eight or nine. Talbot asks for sixty barrels to make good his complement, and Sprag twenty-three, of which I have ordered fifty and twenty for a present supply. *Extract.* [*Col. Entry Bk., Vol. XXXI., pp.* 161, 167.]

Copy of the last paragraph of the foregoing, in duplicate. [*Col. Papers, Vol. LVII., Nos.* 120-121.]

July 5. **755.** Lieutenant-Governor Molesworth's instructions to Captain Sprag of H.M.S. Drake. To sail, with a sloop in company, for Hispaniola, cruise between Cape Tiburon and the east end of Hispaniola, and endeavour to seek out and destroy the pirate Banister. *On same sheet,*

Instructions from the same to Captain Talbot, H.M.S. Falcon, to join Captain Sprag before Port Samana, and endeavour likewise to destroy Banister. *Dated,* 7 July, 1686. *Copy.* 3 *pp. Endorsed.* Recd. 2 Sept. '86. [*Col. Papers, Vol. LVII., No.* 122.]

[July 5.] **756.** State of the case depending before arbitrators between Mrs. Sarah Bland and Colonel St. Leger Codd. *Three closely written pages. Endorsed.* Recd. 5 July 1686. [*Col. Papers, Vol. LVII., No.* 123.]

July 6. **757.** Journal of Lords of Trade and Plantations. A letter from Colonel Robert Byndloss read (*see No.* 586). A copy to be sent to the Lieutenant Governor of Jamaica for report. Draft Commission to the Duke of Albemarle considered, also his Grace's proposals (*see No.* 759).

Copy of the trial of George Talbot for the murder of Christopher Rousby read. The matter referred to the King. *Memo.*: On the 15th, at Windsor, the King pardoned George Talbot, on condition of five years' banishment from his dominions.

Petition of the Quakers of Barbados read. A copy to be sent to the Lieutenant-Governor and Council, for their report (*see No.* 742). Colonel Stede's letter of 27 April read (*see No.* 642) and reserved for the King.

Petition of the inhabitants of New Hampshire read (*see No.* 748I.). Copy thereof to be sent to Mr. Mason on his arrival in England.

Report of the Commissioners of Customs on the magazine ship for Bermuda read (*see No.* 730). The Lords concur therewith, but desire the opinion of the Lord Treasurer on the question of bonds. Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CVIII., pp.* 285-290.]

July 6. **758.** Memorandum of Lords of Trade and Plantations. Asking for the King's pleasure on three proposals of the Duke of

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Albemarle. 1. That on suspension of a Councillor, the Governor have power to nominate another in his place, irrespective of the numbers of the Council. 2. That the Governor be given power to dispose of money without the advice and consent of the Council. 3. That in case of his sickness, he may be allowed by his instructions to go to any of the Colonies in America to recover his health.

The King on July 6th answered, granting the third request, but leaving the two first to be settled according to the instructions drawn up for Sir Philip Howard. [*Col. Entry Bk., Vol. XXXI., pp.* 242, 243.]

[July 6.] **759.** The Duke of Albemarle's proposals for Jamaica. 1. That the King allow two foot companies of fifty men each, as in Lord Carlisle's time, to garrison the forts, which are now much enlarged, and to repress the negroes and prevent their bloody rebellions, by which several families have been lately destroyed. There is no force now, except the Militia, for these duties. An armourer also should be provided for the care of the arms. 2. That the King order a sufficient proportion of military stores to be furnished by the Master of the Ordnance, this charge having always been borne by the King, and the Island having no means of furnishing themselves except by requiring powder of the vessels trading thither. 3. That the King consider the need of a residence for the Governor, both at Port Royal and St. Jago de la Vega, the present houses being out of repair and unfit to receive a Governor. 4. That the King appoint a fifth-rate frigate in those parts, the pirates rendering this more than ever necessary. 5. That passage be allowed for 100 servants and 500 tons of goods. Lord Carlisle was allowed 75 servants and 350 tons, and his family was much less in proportion. 6. That furniture for a chapel be ordered, as for Lord Carlisle, and also books of Homilies. 7. That the negro trade between the Royal Africa Company, the Island, and the Spaniards may be settled, and that the Company and the merchants make their proposals accordingly. These proposals are submitted for the King's approval. The present Government will cost £2,500 less to the Royal Exchequer than Lord Carlisle's. *Draft, with corrections. Endorsed.* Read 6 July 1686. 2 *pp.* [*Col. Papers, Vol. LVII., No.* 124.]

[July 6.] **760.** A summary of the foregoing, written fair. 1 *p. Col. Papers, Vol. LVII, No.* 125.]

[July 6.] **761.** Petition of Nathaniel Weare to Lords of Trade and Plantations. Begging for an early day for the hearing of the appeal of William Vaughan, for whom he is acting as attorney. *Signed,* Nathll. Weare. 1 *p. Endorsed.* Read 6 July. Oct. 13 1686. [*Col. Papers, Vol. LVII., No.* 126.]

July 6. **762.** William Blathwayt to Henry Grey. My Lords wish to know whether it is desirable to resettle the Mint in Boston by Sir Edmund Andros's Commission. I enclose an extract from the laws of New England concerning the Mint, for the Lord Treasurer's opinion. *Draft, with corrections.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVII., No.* 127.]

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July 6. **763.** Address from the Governor and Company of Connecticut to the King. We are informed that a writ of *quo warranto* is issued against our charter, and though we have not seen it we hasten to ask pardon for our mistakes, and to implore you to recall the writ. We are loyal subjects and resolved to approve ourselves such, and we beg you to continue us as an entire province or Government, for the contrary will be very hurtful to us. *Signed,* Robert Treat, Governor; John Allyn, Secrety. 1 *p. closely written. Endorsed.* Read at the Committee, 26 Sept. 1686. [*Col. Papers, Vol. LVII., No.* 128.]

July 6. Council Chamber. **764.** Lords of Trade and Plantations to the Lord President. Desiring him to lay before the King Lieutenant-Governor Stede's request for guns. [*Col. Entry Bk., Vol. VII., p.* 378.]

July 6. **765.** Minutes of Council of Barbados. Pursuant to the King's letters of 27 February, Colonel Codrington took the oaths and signed the test, and was admitted to the Council Board. Order for issue of writs for election of a new Assembly. Order for payments for the repairs of fortifications. Order prohibiting clerks of the Common Pleas to act as attorneys. The Royal Instructions touching St. Lucia communicated to the Council. Captain Temple to be despatched in H.M.S. Mary Rose. Samuel Hanson appeared and withdrew his appeal. [*Col. Entry Bk., Vol. XI., pp.* 701-704.]

July 6. **766.** William Blathwayt to Henry Guy. Asking the Lord Treasurer's opinion whether the masters of the magazine ships to be appointed for Bermuda should give bond in Bermuda or in England. [*Col. Entry Bk., Vol. XVIII., p.* 25.]

July 7. St. Giles. **767.** Lord Shaftesbury to the Earl of Craven. I have received yours, but not knowing upon what ground the *quo warranto* was to be brought against our patent of Carolina, can give no result upon it. There have been considerable sums of money disbursed by the Proprietors to bring it to this effect, and I cannot see by what possibility they can be re-imbursed if the Patent be surrendered. I shall be as unwilling to dispute the King's pleasure as any man, but this being a public concern is not within the power of any particular man to dispose of. I shall, therefore, acquaint you with the decision of the majority of the Proprietors. *Signed,* Shaftesbury. 1 *p. Endorsed.* Read to his Maty., 25 July 1686. [*Col. Papers, Vol. LVII., No.* 129.]

July 7. **768.** Minutes of Council of Nevis. Sir William Stapleton's Commission to Captain Bear, of 25 September 1684 was read, empowering him to capture Indians and pirates. Several of Captain Bear's crew deposed that his ship, while bound to Nevis with stores, sprang a leak off Scilly, and that the voyage was continued in another ship. Resolved that Sir William Stapleton's commission is insufficient for the present ship, and that another be issued to Captain Bear. *Certified true copy. Signed,* Tho. Fenton. 2 *pp.* [*Col. Papers, Vol. LVII., No.* 130.]

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769. Duplicate of foregoing. [*Col. Papers, Vol. LVII., No.* 131.]

July 8.
Council Chamber.
770. Lords of Trade and Plantations to Lieutenant-Governor Molesworth. Ordering him to enquire and report as to the truth of the charge against Colonels Beeston and Waterhouse, of being concerned in all interloping ships (*see No.* 586). *Signed,* Rochester, Sunderland, Albemarle, Craven, Middleton, J. Ernle. [*Col. Entry Bk., Vol. XXXI., p.* 157.]

July 9.
Nevis.
771. The Agents of the Royal African Company to the Company. Some of the chiefs of this Island and St. Christopher's, often discourse of the greater convenience of buying negroes from the Dutch at St. Eustatia than from the Company. They argue that there is no law or charter that can prevent them from buying them and bringing them here publicly in English bottoms. They say that the Royal Charter and proclamation prohibit them only from going to Guinea, so that they may freely buy negroes at any other place and import them. If this be done, it will be very prejudicial to the Company, and will encourage the Dutch to establish a magazine for negroes on St. Eustatia. *Signed,* Hen. Carpenter, Thos. Belchamber. 1 *p. Endorsed.* Recd. 1st and read 7th Sept. [*Col. Papers, Vol. LVII., No.* 132.]

July 13.
772. Minutes of Council of Jamaica. The Assembly attended, but wished to adjourn again, in consequence of the illness of the Speaker. The Governor bade them go back and choose a Speaker and they chose Mr. George Nedham, who was approved. The Governor made a speech, urging the payment of the country's debts by a tax upon themselves. [*Col. Entry Bk., Vol XXXVI., p.* 123.]

July 14.
Virginia.
773. The Secretary of Virginia to [the Earl of Sunderland]. I enclose duplicate of the report of the trial of Colonel George Talbot. He tried hard to insinuate that the vile act was the effect of passion. Certainly some heats passed between him and Rousby in discourse, which, he being inflamed by drink, might be taken as the cause of that fatal effect. I hope next year to avail myself of the King's leave of absence for twelve months. *Signed,* Nicho. Spencer. *Holograph.* 1 *p. Annexed,*

773. I. The trial of Colonel George Talbot for the murder of Christopher Rousby (*see No.* 629). *This report includes the proceedings before the Grand Jury, Nov.* 21*st* 1685, *and Lord Howard of Effingham's order for the reprieve of sentence, pending the King's order.* 26 *April* 1686. *The whole.* 6 *pp. Endorsed.* [*Col. Papers, Vol. LVII., Nos.* 133, 133 I.]

July 14.
Nevis.
774. Deputy-Governor Sir James Russell to Captain St. Loe. Ordering him to sail to Bermuda and ask permission to examine Captain Bartholomew Sharpe's commission, to find out how he came into possession of his present ship, where she was brought on trial, and how she was condemned. If the answers are unsatisfactory, Sharpe is to be seized as a pirate and brought to trial.

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The Dartmouth will then proceed to Boston, where money will be ready for the repair of the ship, and return to Nevis before the 20th October. *Signed*, Ja. Russell. *Copy.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 1.]

July 15. **775.** Minutes of Council of Jamaica. On the request of the Assembly, a conference was held on the amendments to the Bill for ascertaining servitude of rebels.

July 16. The Assembly desired a conference on the Bill for recovery of fines and forfeitures.

July 17. Report of the conference on the Bill for ascertaining the servitude of rebels. Further amendments. [*Col. Entry Bk., Vol. XXXVI., pp.* 123*a*, 124*a*.]

July 16. **776.** Henry Guy to William Blathwayt. Forwarding a letter from the Commissioners of Customs. *Signed*, Hen. Guy. ½ *p. Annexed*,

776. I. Commissioners of Customs to Lords of Trade and Plantations. In reply to Mr. Blathwayt's letter of 6th inst., touching the taking of bonds from masters of ships trading to Bermuda, we find that the law provides that bond should be given here, or we should have thought it better that it should be taken in the Plantations. *Signed*, W. Dickinson, Ch. Cheyne, D. North, Jo. Werden, J. Baker, J. Buckworth, T. Chudleigh, Sam. Clarke. 1 *p. Endorsed.* Recd. 16 July. Read 26 July '86. [*Col. Papers, Vol. LVIII., Nos.* 2, 2 I., and (*enclosure only*) *Col. Entry Bk., Vol. XVIII., pp.* 25, 26.]

July 16. **777.** Petition of certain inhabitants of Rhode Island to the King. We here present our full and free resignation of the power committed to us by our Charter. The General Assembly have made their public declaration that they will not stand suit, but will address you for continuation of their privileges according to Charter. We, your present petitioners, declare that we knew nothing of it nor have left further proceedings to the Assembly, but present ourselves to you, begging to be discharged of all levies and contributions to which they would expose us to defray the cost of sending an agent to England. *Thirteen signatures and one mark. Large sheet. Endorsed.* Recd. 14 Dec. '86. [*Col. Papers, Vol. LVIII., No.* 3.]

July 17. Jamaica. **778.** Lieutenant-Governor Molesworth to William Blathwayt. Since my last the frigates are returned to seek Banister where they left him. The Assembly on meeting after their last adjournment in consequence of the Speaker's illness were for adjourning *de die in diem*, so that I was forced to order them to choose another for the time and to proceed to business. They chose Mr. George Nedham, whom I approved, taking opportunity to make them the speech herein enclosed. I did so since I was led to expect that they would not raise the money upon themselves if they could not do it in the way proposed. This was previous to my resolution to dissolve them, for I wished first to secure the two Bills which lay

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before them and to obtain their consent to our amendments. Since this some of the adverse party are come over, in particular Musgrave, whom I have mentioned as one of their leaders. Possibly these may gain others, so I thought best to let them adjourn for four or five days before coming to a vote. Yesterday was the day appointed for this last. Most of the past week has been spent in debates and conferences over the two other Bills. These are now agreed on and ordered to be engrossed with the proviso that the passing of them shall not end the Session, so that I expect to have them secure very soon. If I cannot obtain a vote for money within four or five days after, I shall dissolve them, being satisfied that I have put them in the way to secure themselves, which if they refuse to do as they ought, they must take the consequences.

The privateers in the South Seas, notwithstanding the Spanish boasts that they are conquered, still hold ports from which they intercept and disturb trade. They have lately intercepted a ship of four hundred negroes belonging to the Assiento. They have two or three settlements where they plant and till the ground and keep the negroes to work for them. Unless speedily suppressed these pirates will be the ruin of the chief trade of Christendom as they are already of the Assiento. But I cannot expect that the Spaniards will do it, nor will they trust others to do it for them. The French fleet, after lying a long time in the Bay of Honduras, is now for the most part dispersed. Such as could make shift to get themselves ready separated from them, leaving the rest in great distress for want of victuals. Grammont is of these last, he and his people being very sickly. Unless relieved he must probably perish there. Laurens passed our north coast the other day, bound for Tortugas, but not in command, as he himself told the master of one of our sloops. So their design of going to the South Seas is at an end for the present. [*Col. Entry Bk., Vol. XXXI., pp.* 171-175.]

[July 17.] **779.** Lieutenant-Governor Molesworth's speech to the Assembly of Jamaica (*see preceding abstract*). A great deal of time has fled away to no purpose, so I am resolved to consent to no more superfluous adjournment. You have passed a vote for raising the money, but have proposed no effectual way for raising it. You will find no plan so good as to secure our estates by our estates. It will be in the nature of insurance, and I reckon that what is now required of you does not exceed five shillings for every hundred pounds' value of our real estates. So if you intend to raise the money, set about it heartily; if not, tell me, that I may know what to do. I have done my duty, and if you fail to do yours the opposers of it will be answerable for any innocent blood that may be spilt on occasions that might have been prevented. I wash my hands of it. *Copy.* ½ *p. Endorsed.* Recd. 30 Oct. 1686. [*Col. Papers, Vol. LVII., No.* 4.]

July 20. **780.** Minutes of Council of Jamaica. Message from the Assembly as to the two Bills. A committee appointed to examine the accounts relating to the negro rebellion. The Assembly appointed a committee to join with them.

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July 21. The Assembly sent up the two Bills, which were passed. The Governor recommended the Assembly to proceed with an Act for better ordering of negroes. Report of the committee on the accounts of the negro rebellion, the total cost of which was £3,203, with a specification of the items that were absolutely necessary to be paid. Message from the Assembly asking for a joint committee in the Negro Act. Granted. [*Col. Entry Bk., Vol. XXXVI., pp.* 125-127.]

July 23. **781.** Journals of Lords of Trade and Plantations. List of the Lords. Prince George of Denmark, Archbishop of Canterbury, Lord Chancellor, Lord Treasurer, Lord President, Lord Privy Seal, Dukes of Ormonde, Albemarle, Newcastle, Beaufort, Queensberry, Lord Great Chamberlain, Lord Chamberlain, Earls of Oxford, Huntingdon, Bridgewater, Peterborough, Chesterfield, Bath, Craven, Powis, Berkeley, Nottingham, Plymouth, Moray, Perth, Middleton, Melfort, Tyrconnel, Viscounts Fauconberg and Preston, Bishop of Durham, Lords Arundel of Wardour, Bellasis, Dartmouth, Godolphin, and Dover, Henry Coventry, Mr. Chancellor of the Exchequer, Lord Chief Justice Herbert.

Letter from the President and Council of New England of 1 June read (*see No.* 702). Ordered that Mr. Mason attend the King at Windsor next Sunday with their addresses, and that the matter be noticed in the Gazette. *Memo.* That Mr. Mason did so accordingly on 25 July.

The Duke of Albemarle's Commission considered. The King's answers to his proposals (*see No.* 759) read, and the Commission approved.

Petition of Sarah Bland read (*see next abstract*). A letter to be written to Lord Howard of Effingham in compliance therewith.

Draft Commission for Sir Robert Robinson as Governor of Bermuda read and approved. Report of Commissioners of Customs of 14th inst. as to bonds to be taken by shipmasters trading to Bermuda read (*see No.* 776). The Lords agree therewith, and ordered Sir Robert's instructions to be drawn accordingly.

Letter to Lieutenant-Governor Stede as to the Quakers' petition, signed.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 1-7.]

[July 23.] **782.** Petition of Sarah Bland to Lords of Trade and Plantations. That her case against Colonel St. Leger Codd may be determined by Lord Howard of Effingham. 1 *p. Inscribed.* Read 23 July and 16 Aug. 86. [*Col. Papers, Vol. LVIII., No.* 5.]

July 23. **783.** Lords of Trade and Plantations to Lieutenant-Governor Stede. We forward to you a petition from the Quakers in Barbados for your report as to the possibility, consistently with the safety of the Island, of easing their burdens under the Militia Act (*see No.* 742). The King having extended his favour to the Quakers here may be inclined to continue the same to them in this particular. *Signed*, Jeffreys, Albemarle, Craven, Middleton. [*Col. Entry Bk., Vol. VII., p.* 379.]

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July 23. **784.** Extract from the Minutes of Council of New England. The Council met at Cambridge, the President and six members present. It was unanimously agreed:—1. That the Rev. Increase Mather be asked to accept the Rectorship of the College. 2. That John Leverett and William Brattle be tutors. 3. That Charlestown Ferry and Mr. Penoyer's legacy, *i.e.*, one moiety of it as falleth, be settled upon the said tutors for salary. 4. That their pupils pay to their respective tutors ten shillings a quarter for tuition. 5. That Andrew Roademan, the present cook, be henceforth steward of the College. *Certified copy.* 1 *p.* *Endorsed.* Recd. 25 May 1688. [*Col. Papers, Vol. LVIII., No.* 6.]

July 23. Chesapeeke. **785.** Samuel Winder to Governor Dongan. Hearing that you could not come as you intended to my plantation, I took the sloop and went down to meet you. Not having the good fortune to see you, I went on board the ship from Madagascar and found Captain Santen, Barré Tuder, and Antill. Captain Santen used, as I thought, very unbecoming words of you, saying that you had put Antill on board as your spy, with intent to trepan him, but that for your cunning he would secure the ships and dispose of them as he thought fit, and so on. At last I told him that he did ill to speak like this before the captain, who was a stranger. Thereupon he fell into a passion, went on board his ship, ordered my master aboard, and demanded his cocket, to which he replied that it was not customary to take one. After a time he dismissed him, but afterwards the master and merchant came to me and said that after the language used by the Collector, they would not go up to New York, for they would assuredly be seized. I told them that your words were sufficient security for them, but they answered that it was doubtful where the power lay, as the Collector had the commission, and that he might give them so much trouble that they would not afford him the opportunity. At last, sooner than allow him to put to sea, I agreed with him for the negroes, and the master has entered his ship at Amboy. I hope that you will not blame me for his not coming to New York. *Signed*, Sam. Winder. $2\frac{1}{2}$ *pp.* *Endorsed.* [*Col. Papers, Vol. LVIII., No.* 7.]

July 23. New York. **786.** Affidavit of William Wolliford, master of the ship Mariner's Adventure, and of his crew, that he has traded in no port belonging to Royal African Company. Sworn before Lucas Santen, Collector. *Copy.* 1 *p.* [*Col. Papers, Vol. LVIII., No.* 8.]

July 23. New York. **787.** Permit for the Mariner's Adventure to enter the road and discharge cargo. *Signed*, Lucas Santen. *Copy.* $\frac{1}{2}$ *p.* [*Col. Papers, Vol. LVIII., No.* 9.]

July 24. **788.** Commission to Sir Robert Robinson, Knight, to be Governor of Bermuda. Passed under the Great Seal, 9 September 1686. [*Col. Entry Bk., Vol. XVIII., pp.* 4-22.]

[July 25.] **789.** Abstract concerning Tortola, demanded by the Dutch Ambassador. Sir William Stapleton reports the reduction of the Island in 1672, together with St. Eustatia and Saba. The three Islands should have been restored at the Treaty of Breda, but the

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Dutch, fearing to lose them again, and that they might fall into French hands, left Sir William Stapleton in possession. In 1679 the Dutch Ambassador claimed the restitution of St. Eustatia and Saba, and the Lords decided that Sir William Stapleton should first state to what expense the Islands had put him. The Dutch Ambassador promised to refund the amount, and the two Islands were restored. Tortola is in the same circumstances as these two Islands, but as no restitution has been asked for, no orders to that effect have been given. In the event of restitution, the Dutch should be called upon by the King to refund any expenses. $3\frac{1}{4}$ *pp.* *Endorsed.* Read at Windsor, 28 July '86. Tortola to be restored to the Dutch. [*Col. Papers, Vol. LVIII., No.* 10.]

[July 26.] **790.** Address of the President and Council of New England to the King. We rejoice that our first address can open with congratulations on your deliverance from the late rebellion. We thank you for your large indulgence to the people in matters of religion; and we are preparing to lay before you such rules and methods as we judge necessary for the good government of the Colony. *Signed,* Joseph Dudley, William Stoughton, J. Winthrop, Wait Winthrop, Jonathan Tyng, Edward Tyng, Robert Mason, John Pyncheon, Peter Bulkeley, Jno. Usher, Rd. Wharton, John Hinks, Barth. Geddes, Ed. Randolph, secretary. *One large page. Endorsed.* Presented at Windsor by Mr. Mason, 26 July 1686. [*Col. Papers, Vol. LVIII., No.* 11, *and Col. Entry Bk., Vol. LXI., pp.* 301, 302.]

July 26. **791.** Governor Dongan to Mons. de Denonville. I have received with great satisfaction your letters of 6th and 20th June (*see Nos.* 694, 727). I am glad to have a neighbour so different from Mons. de la Barre, your predecessor, who was so furious and hasty, and addicted to great words, as if I had been likely to be frightened by them. The Indians, perhaps, might justly offend him, for, as you well remark, they are not people of the greatest credit and reputation. But I did not amiss in offering sincerely to compose the quarrel, and I went expressly to Albany for the purpose, and yet received no just return from him for it. I doubt not the French King's zeal to propagate the Christian religion, and I assure you my own master has it not less at heart. For my part, I shall take all possible care that the missionary fathers shall not be ill-treated by any Indians over whom I have power, and have sent for one of each nation for that very purpose. The three beastly crimes which you reprove shall be checked severely, and all my endeavours shall be used to suppress their filthy drunkenness and quarrelling, and whatsoever obstructs the growth of the Christian religion. I have heard that before ever the King your master claimed Canada, the Indians as far as the South Sea were under the English dominion, and traded always with Albany, Maryland, and Virginia, but in accordance with your desire, the whole question of territory shall be referred to our masters. The strictest care shall be taken as to runaways from you, but if there be any soldiers deserted, I desire you first to give me assurance that they shall not lose their lives. Pardon me for troubling you

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with my private affairs. When my prince called me out of the French service, 25,000 livres were due to me, as was certified by the intendant of Nancy. My stay was so short that I had no time to kiss the King's hand and petition for it—a great misfortune, after my long and faithful service. After leaving Nancy I went to Tangier, and from thence hither, so that I never had time to present my case to the King. May I ask you to espouse it, that I may obtain at least a part of this sum? The King, I know, is generous, and would not let me suffer. *Signed*, Tho. Dongan. 2½ *pp. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 12.]

July 27. Custom House. **792.** Commissioners of Customs to Lords of Trade and Plantations. We have received draft of a letter from the King to Captain Bee, and see nothing to object to, so far as regards the King's Customs or the Acts of Navigation; but as to the freight for the tobacco to be brought from Bermuda in the manner proposed, which is not under our cognisance, we recommend that the principal merchants be consulted before it is fixed. We learn, however, from Mr. Danely, general manager to the Bermuda trade in London, that the rates in the letter are those which are usual. *Signed*, Sam. Clarke, Ch. Cheyne, D. North, W. Dickinson, T. Chudleigh, 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 13.]

July 27. Virginia. **793.** The Clerk of Assembly of Virginia to William Blathwayt. I send duplicate copies of the journals to the House of Burgesses at the Assembly, held 2 November 1685, and prorogued 12 December 1685. *Signed*, Robert Beverley. *Holograph.* ½ *p. Endorsed.* Recd. 7 Oct. '86. [*Col. Papers, Vol. LVIII., No.* 14.]

July 28. Boston. **794.** Edward Randolph to Lords of Trade and Plantations. I have served the writs of *Quo Warranto* on Rhode Island and Connecticut, though, after a tedious passage of near six months from London, the time of their return is lapsed. However, the Governor of Connecticut has appointed a meeting to be held for the surrender of the charter, unless persuaded by the factious party here to stand a trial just to delay the sending over of a Governor-General. In Rhode Island the Governor and Company have sent an address to the King. Here the new commission for a reconstitution of the Government was received at first with some show of satisfaction and gratitude, but since then the proceedings of the President and Council, whatever they may report in their letters to you, are managed for the encouragement of the Independent faction, utterly discountenancing both the minister and such others who dare openly profess themselves of the Church of England. Having no allowance for our minister here, we raise it by contribution among ourselves. The form of this Government only is changed, for our Independent ministers flourish, and expect to be advised with on public affairs. I need say no more in proof than that but two of the present Council, Mr. Mason and myself, are of the Church of England, that of over sixty officers of the Militia there are not above half a dozen who are not either Church-members or attenders at their meetings. Consequently Nonconformists from all parts resort hither. Two months ago, one Mr. Mourton, an excommunicated minister, arrived here from Newington Green. He was welcomed by our President, and designed to be head of the College, but as such steps are too large to be ventured on yet, he is called to be minister at Charlestown, a very good living, and is ready at hand to be president of the College. Two brothers of the name of Bayleyes, great daring Nonconformist ministers from Ireland, have been here two years, and are well provided for. During Monmouth's rebellion, most of the ministers stirred up the people by saying that the time of deliverance was at hand. Not one of them prayed for the King, nor believe his letter reporting the overthrow of the rebels. I suggest, as greatly for the quiet and welfare of the Colony, that no minister from England be allowed to land who has not the licence of the Governor-General, who shall have power to licence and restrain from public preaching such as are already here. You will gather that the presence of a General Governor is much needed to settle distractions and to continue what is newly begun. The delay is prejudicial, and will give the factions facilities for re-assuming the government, which they openly declare that they expect an opportunity to retake. As to my own office, the President takes great liberty to impose upon me in my station. He would not let me seize a vessel in the harbour, nor suffer my officers to go aboard. I am accounted by all to be the sole enemy of the country, having served the King here eleven years, and taken the writs to the other Colonies. Pray recommend me to the Governor-General. I pray for his arrival. *Signed*, Ed. Randolph. *Holograph.* 2½ *pp.* Read at the Committee, Oct. 13, 1686. [*Col. Papers, Vol. LVIII., No.* 15, *and Col. Entry Bk., Vol. LXI., pp.* 327-329.]

July 28 **795.** Duplicate of the foregoing, similarly endorsed. [*Col. Papers, Vol. LVIII., No.* 16.]

July 30.
Portsmouth. **796.** Council of New Hampshire to President and Council of New England. We have lately learned of the private removal of our records to Boston. How it happened we know not, but we think it of some concern to ourselves. It seems strange that books, wills, and other records should be exposed to the danger of the sea without any reason. We are not willing to run the risk of another sea adventure, but beg you to keep them safe until they can be safely returned to us. *Signed*, John Hinks, Walter Barefoot, Richd. Waldern, jun., Robert Elliot, Thomas Graffort, John Gerrish, Henry Green. *Copy.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 17.]

July 30. **797.** Minutes of Council of Jamaica. Report of the Committee on the Negro Bill brought up. John Favell ordered to be taken into custody for scandalous reflections on the Lieutenant-Governor concerning the Spanish trade. [*Col. Entry Bk., Vol. XXXVI., pp.* 126a, 127.]

July 30.
Bermuda. **798.** Memorandum of the resolutions of Southampton, Sandis, Smith's, and Devonshire tribes as to raising of money for the repair of fortifications. Sandis and Smith's tribes held their meetings on 27 September 1686. *Certified copy.* 2½ *pp. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 18.]

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July 31. **799.** The Secretary of Barbados to William Blathwayt. Advising despatch of the quarterly returns of the transactions of Council. *Signed*, John Whitestone. [*Col. Entry Bk., Vol. VII., p.* 383.]

Aug. 1.
Windsor. **800.** The King to Governor Lord Howard of Effingham. We have been informed of the irregular and tumultuous meetings of the House of Burgesses in the late meeting of the Assembly of Virginia. We approve greatly of your action, and as a mark of our displeasure with the Burgesses, we bid you dissolve the present Assembly, that the inhabitants may have the opportunity, at such time as you think fit, of choosing better members. Further, Robert Beverley shall be declared incapable of holding any public office, and shall be prosecuted with the utmost severity for defacing the records of the Assembly. You will appoint the Clerk of the Assembly when it next meets, and will permit no one but the person whom you appoint to hold the office. We expect the Assembly to grant him the usual allowance. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXXXIII., p.* 119.]

Aug. 2.
Portsmouth. **801.** Richard Waldern and others to the President and Council of New England. We, the undersigned, being met together for business, wish to express our great concern at the removal of our records to Boston without the privity or knowledge of any authority here. To save possible damage or tampering with them, we beg that care may be taken of them, and that Captain Stileman, who is best acquainted with them, may be placed in charge and be appointed Clerk and Recorder, as formerly. *Signed*, Richard Waldern, Richd. Martyn, Wm. Vaughan, John Gillman, John Woodman, Sam. Sherbourne. *Copy.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 19.]

Aug. 3. **802.** Minutes of Council of Barbados. The writs for the new Assembly returned. List of the members, who were sworn. The letter from the Lords of Trade, touching Mr. Daniel's complaint against Sir Richard Dutton, read. Ordered that the evidence relating thereto be taken on the 13th instant; all parties concerned to take notice thereof. The King's letter appointing Mr. Richard Harwood to the Council read. Address from the Council, praying that he be not admitted till certain representations of theirs be laid before the Lords of Trade. The Governor replied that he could not disobey the Royal orders. The address was ordered to be entered, setting forth Mr. Harwood's servile condition, personal inability, and other scandalous circumstances. The Assembly presented John Reid as their Speaker, who was approved; and the Lieutenant-Governor then adjourned them for a month, by reason of his ill state of health. [*Col. Entry Bk., Vol. XI., pp.* 707-712.]

Aug. 3. **803.** Journal of Assembly of Barbados. List of Members.

St. Michael's	Captain Richard Barrett. Thomas Morris.
St. Peter's and All Saints'	Captain John Baily. Morgan Lewis.

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St. Thomas'	Colonel John Farmer. John Davies.
St. John's	Major John Leslie. John Bromley.
Christchurch	Colonel Robert Bishop. Lieut.-Colonel Richard Elliott.
St. Lucy	Lieut.-Colonel Michael Tyrrell. Captain Thomas Dowden.
St. James'	John Reid. Major Abel Allen.
St. Philip	Willoughby Chamberlayne. Captain Peter Evans.
St. Andrew	Captain John Mills. William Dotten.
St. George	Major Richard Salter. Captain John Cousins.
St. Joseph	Colonel John Waterman. Captain Edward Binney.

John Reid chosen Speaker, Richard Cartwright, Clerk, and William Geddis, Marshal. Rules of the House passed. Adjourned to 31 August. [*Col. Entry Bk.*, *Vol. XIV.*, *pp.* 159-160.]

Aug. 3. **804.** Minutes of Council of Jamaica. John Favell examined. Copy of the examination to be sent to the Assembly, that the persons mentioned by him may be examined also. Favell discharged from custody, on his promise not to quit the Island without leave.

Aug. 4. Adam Cooper examined as to Favell's business, and discharged on giving security to appear at the next Grand Court. Message from the Assembly, sending the declarations in writing of the members concerned in Favell's business. [*Col. Entry Bk.*, *Vol. XXXVI.*, *pp.* 127-131.]

Aug. 4.
Jamaica.
805. Lieutenant-Governor Molesworth to the Earl of Sunderland. The proceedings of the pirates in the South Seas will, doubtless, cause us a great noise when the merchants of Europe come to know the extent of their losses, so I thought that some account of these affairs would be acceptable. I have found it difficult to obtain information, since no one here will be known to correspond with those in the South Seas. Reports in favour of the pirates have frequently been raised by ill men, to tempt others to join them, so that I can never depend on what is said. Recently five or six persons arrived from these parts, and failing to seize them, I was obliged to employ others to try to bring the most rational of them before me, on conditions of pardon. I have, I think, succeeded in obtaining a true narrative of all their proceedings, from their last expedition to the time when my informant left them. Though he kept no journal, he relates the events in succession as they passed. I send copy of his examination, from

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which you will see that though they have prejudiced the Spaniard much, they have gained little for themselves, their parties being broken up by difficulties and discouragements, and those that remain anxious to get away as soon as they can. Yet, before I got this person, it was reported that twelve hundred of the pirates were settled ashore, and that four Dutch ships had joined them. You will see, therefore, the necessity of granting a pardon to gain such intelligence. I send you by this ship a prisoner supposed to be John Webber, who was apprehended here on the advice of Colonel Stede. *Signed*, Hder. Molesworth. *Holograph.* 4 *pp.* *Annexed*,

805. I. The examination of Richard Arnold. Left Jamaica to join Captain Peter Harris in the South Seas on 16 June 1684. Joined him at Golden Island, where the party mustered ninety-six whites and three Indians. There obtained a guide to take them against the stockades, which were their object, some thirty leagues distant. Together with about 300 Indians they attacked and took the stockade, where they shared a hundred shares of about twenty-four ounces of gold-dust apiece. They also took a barque of the Spanish King's, of four patararoes and thirty men, with 1,000*l.* sterling in gold dust. Took eight large canoes, and, leaving the Indians behind, went down the river Andreile and took another vessel laden with provisions and wine; thence proceeded to the King's Cays, some two leagues from Panama, took ten empty barques of the pearl fleet, and, fitting out three of them, sailed to Cape Clare, southward of Panama. Cruised to westward, and were attacked by five barques fitted out from Panama to take them, but beat them off with heavy loss. Stood further away to westward, where found a ship at anchor, which proved to be Captain Swan's of about 140 tons, 16 guns, and 20 men. Agreed with him for his ship at ten shares, himself at two, and his boy at half a share; manned his ship and abandoned the others, and stood to southward to join one Captain John Cooke, said to have come out in a Dutch ship of thirty-six guns. Found his ship, of seventy-five men, at the Isle of Plate, in command of Captain Davis, Cooke having died. Davis had a prisoner on board, who undertook to guide them to Guayaquil. Sailed thither, sent 130 men up the river in canoes, and landed two leagues from the town. Here Swan, seeing many lights in the town, concluded them to be lighted matches, and refused to march further. Swan and Davis had a dispute over it, and the party returned, much discontented with Swan, the prisoner saying that they might have made 500*l.* a man in gold. Thence sailed to Payta, landed ninety men, took it, plundered and burnt it. Endeavoured to surprise Pura, but finding themselves discovered, returned to the ship. After this failure stood to westward again to the Cays, to intercept the Spanish fleet from Callao. Stayed there about

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five months, during which time two French parties came overland and joined them. To one leader, Captain François, they gave a ship of 400 tons, which had been captured, with a dozen more, at the Cays. Three more parties, under Englishmen and mostly English, then joined them from overland. It was then resolved to pursue the design against the Spanish fleet, and to appoint Davis admiral, and Swan vice-admiral. Swan refused to fight under any but English colours, since he had lost two men in fair trade with the Spaniards, so wore the King's jack at the foretopmast head. The plans for the attack were laid. Meanwhile, the Spanish fleet passed unseen in the offing, and landed its money about ten leagues to westward of Panama, then proceeded to sea with eleven sail and two fire-ships, and came unexpectedly upon the privateers, when one of the principal French ships, which should have seconded Davis, deserted. Next day, the Spaniards being to windward, the privateers made a running fight of it, and sailed to Quito, where they built new canoes and attacked and took the city of Leon, but made no plunder, having been discovered as they entered the harbour. Then took and burnt Rio Leo, which, however, afforded nothing valuable, except naval stores. Here the fleet divided, about June 1685, Swan and others sailing for California to try their fortunes there, and thence round the Phillippines for the East Indies, and so home (as they said); Davis and a fire-ship designing to sail westward again for Truxillo. Examinant went with Davis, who missed Truxillo and made for Samia. To prevent discovery, Davis marched for Samia, some seven leagues up the country, with two hundred men, took it, and shared about three hundred dollars apiece in money and plate. On returning, found a storehouse with 10,000 lbs. weight of indigo, but could not ship it for the heavy sea. Thence marched to attack Pura, ten leagues to leeward of Samia, but were betrayed by an Irishman, who was taken prisoner by the Spaniards. The betrayal, however, was discovered to them by the master of a small barque which they took, so abandoned Pura for Payta, where there were said to be two ships with four hundred negroes. Took the town and ships, but only about forty negroes, whereupon examinant and thirty-eight more deserted, and he returned ultimately to Port Royal. Davis, when examinant left him, had two hundred and fifty men, and had designs on a town a little to southward of Lima, after which he meant to go through Magellan's Strait and return overland by way of Darien. In another four months, therefore, all the privateers will have come away. The privateers never settled on any island, nor fortified the same, as reported. *Signed*, Hder. Molesworth. 6 *closely written pages.* [*Col. Papers, Vol. LVIII., Nos.* 20, 20I.]

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Aug. 4. Duplicate of foregoing despatch and enclosure. [*Col. Papers, Vol. LVIII., Nos.* 21 21I.]

Aug. 4. Another copy of the enclosure. [*Col. Papers, Vol. LVIII., No.* 22.]

Aug. 5. **806.** Minutes of Council and Assembly of St. Christopher's. The Governor and Council desired the Assembly to consider the question of finishing the fort on Cleverley Hill. The Assembly declined to consider it at present. The Assembly called attention to the fact that the King's Collector refuses to take sugar at the rate of the Island, notwithstanding the Act. Order that no person enter on the office of Provost Marshal without first giving security. [*Col. Entry Bk., Vol. XLVIII., p.* 59.]

Aug. 5.
Hartford.
807. The Governor of Connecticut to Governor Dongan. We have been served with two *Quo Warrantos*, one bearing date July 8, 1685, the other served on the 20th July 1686. I beg your advice as to how to manage our affairs, so as to gain the King's favour and the continuance of our former privileges. Our last news from Boston is the seizure of eighty butts of Malaga wine and brandy, which, if lawfully seized, will be a good supply of that cheering commodity. I send copy of Randolph's letter. *Signed*, R. Treat. *P.S.*—News has just come of a pirate lying between Rhode Island and the Vineyard, said to have robbed five vessels from these parts. 1½ *pp. Endorsed.* Recd. 9 May '87. [*Col. Papers, Vol. LVIII., No.* 23.]

Aug. 5.
Warwick.
808. John Greene to Governor Dongan. I have been nominated messenger by the Governor and Council. I wished to have another joined with me, but this has been defeated by some evil-minded persons, who would bring us under Massachusetts. There will be scrawls enough gathered from one. To-morrow the Governor and Council meet again to settle the question finally, and if it be decided that I do go the voyage, I hope to be ready to sail in three weeks. Thank you for your great respect shown to our poor, despised Colony. *Signed*, John Greene. *Holograph.* 1 *p. Endorsed.* Recd. 9 May 87, from Colonel Dongan. [*Col. Papers, Vol. LVIII., No.* 24.]

Aug. 6.
Rhode Island.
809. Commission appointing John Greene to carry a letter and address from the Governor and Company of Rhode Island to the King, and explain if need be what is required by the Colony. *Signed*, Walter Clark, Governor. *Copy.* 1 *p. Col. Papers, Vol. LVIII., No.* 25.]

Aug. 6. **810.** Minutes of Council of Jamaica. Three private Bills received from the Assembly read. On the request of the Assembly, the Lieutenant-Governor permitted them to adjourn for a few days. [*Col. Entry Bk., Vol. XXXVI., pp.* 131-132a.]

[Aug. 6.] **811.** Proposals as to the fees to be paid to the Secretary and Registrar of New England. Evidently emanating from Edward Randolph. *Copy.* 1½ *pp. Endorsed.* Recd. 6 Aug. 86. [*Col. Papers, Vol. LVIII., No.* 26.]

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[Aug. 6.] **812.** Table of fees granted by the President and Council to Edward Randolph, Secretary and Registrar of New England. Voted by the Council June 15, 1686. 1½ *pp.* *Endorsed.* Recd. 6 Aug. '86. [*Col. Papers, Vol. LVIII., No.* 27.]

Aug. 7. Windsor. **813.** The Dutch Ambassador to the King. Repeats the earlier portion of his memorial of May 1st (*see No.* 649), and continues:—I now learn that Sir William Stapleton has gone to France to drink the waters, so I repeat my request, having received no answer to the first, except verbally to the effect that Sir William Stapleton would soon return. News has since been received of his death, and that he gave no reason for his refusal to cede Tortola except lack of the King's orders. I beg, therefore, that, without further search for information from other sources, the Island may be restored. *Signed,* Arnout van Citters. *French.* 2½ *pp.* *Endorsed.* [*Col. Papers, Vol. LVIII., No.* 28.]

Aug. 7. Windsor. **814.** The Earl of Sunderland to Lords of Trade and Plantations. Announcing the appointment of Sir Nathaniel Johnson to be Governor of the Leeward Islands. *Signed,* Sunderland. *Endorsed.* Recd. 16 Aug. '86. [*Col. Papers, Vol. LVIII., No.* 29, *and Col. Entry Bk., Vol. XLVII., p.* 200.]

Aug. 10. Nevis. **815.** The Clerk of Assembly of Nevis to Lords of Trade and Plantations. Forwarding the transactions of the Assembly from 27 August 1685 to 1 May 1686. *Signed,* Tho. Thorne. [*Col. Papers, Vol. LVI., No.* 43.]

Aug. 15. Windsor. **816.** Warrant for the delivery of forty iron guns from the Ordnance stores for Barbados. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. VII., p.* 378.]

Aug. 16. **817.** Journal of Lords of Trade and Plantations. Letter to Lord Howard of Effingham, concerning Sarah Bland signed. Ordered that Sir Robert Robinson be given a sight of the instructions preparing for him.

The Lord President's letter reporting the appointment of Sir Nathaniel Johnson to be Governor of the Leeward Islands read. Order for preparation of draft commission and instructions for him. Mr. Powell's letter from Antigua of 8 April read (*see No.* 622). Agreed that he be directed to obey the orders of the Lord Treasurer or Commissioners of Customs in respect of the plantation trade with Ireland.

Office accounts signed. Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 8-10.]

Aug. 22. **818.** Minutes of Council of Jamaica. The Assembly attended, and the Governor made them a speech, ordering the Speaker to put it roundly to the vote whether the Assembly would tax itself or no. Message from the Assembly that the vote had been put and passed in the affirmative. Three private Bills proceeded with. [*Col. Entry Bk., Vol. XXXVI., pp.* 131a, 132.]

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Aug. 21. Rhode Island. **819.** Address of Randolph Holden to the King. Recounts the history of the dispute over the Narragansett Country. Of late Edward Cranfield came over, pretending a commission to hold a Court in the country. His associates were, many of them, the gentlemen who style themselves the proprietors of the Narragansett Country, who, being met by a prohibition, departed without any further proceedings. But since Joseph Dudley has been installed President, they have taken the government of the province from us, and by a Committee, consisting of Elisha Hutchinson and John Saffin of Boston, formed to dispose of those lands, they have been making sale and merchandise of them, turning your Majesty's province to their private advantage and to your great loss, unless you choose to appoint some person unconcerned therein to dispose of them. I am ready to give the best intelligence I can. *Signed*, Randall Howldon. *Large sheet, closely written. Endorsed.* Presented at Committee, 19 Jan. 1686-7. [*Col. Papers, Vol. LVIII., No.* 30.]

Aug. 21. New York. **820.** Land grants issued by Governor Dongan, to John Spragge (*page* 1), Richard Gibbs (*page* 2), James Graham, and John Delavall (*pages* 3, 4). [*Col. Entry Bk., Vol. LXXIII., pp.* 1-4]

Aug. 21. **821.** Affidavit of Cornelius Creyke. That 11,000 lbs. weight of elephants' teeth was taken from the Mariner's Adventure by the sloop that piloted her to Sandy Hook. ½ *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 31.]

Aug. 22. **822.** The King to Governor Lord Howard of Effingham. Declaring the Act of 1662, which allows quit-rents to be paid in tobacco, to be repealed; the rents to be paid in money in future. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXXXIII., pp.* 112-113.]

Aug. 22. **823.** The King to Lieutenant-Governor Stede. Approving the grant of 1,000*l.* made to Stede by the Assembly, and permitting him to accept it. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. VII., p.* 382.]

Aug. 23. Boston. **824.** Edward Randolph to Lords of Trade and Plantations. The Governments of Connecticut and Rhode Island, being encouraged underhand by the faction here, are not without hopes of recovering their charters. The last General Court was continued by adjournment, and is to meet on the second Wednesday in October, and as yet the President and Council, though often moved by me to declare that adjournment illegal, have done nothing to discountenance it. On the contrary, they have preferred divers of the magistrates and others of the late Government to commands in the Militia and to be justices of the peace. As Secretary and Registrar, I asked for the records of the General Court, and obtained an order for the purpose, but some of the Council had encouraged the late Secretary to keep them in his custody that you might not know what large tracts of land they have bestowed on each other. They are still at this day making all the land in this Government sure to themselves; in which project is Captain Blackwell, Treasurer to the Army in Cromwell's time, and son-in-

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law to Lambert, although he was excepted in the Act of Pardon of 12 Car. II. They likewise refuse to let me have an account of the receipts and disbursements of their late Treasurers, which I have often demanded in order to shew you the rates and taxes imposed upon the people (against the will of most of the inhabitants) to defend the Charter. The great favour of liberty of conscience granted to this people may shortly appear to be of ill consequence to the Government, unless the Governor-General be empowered to limit them in their extravagant use of it. It is plain that though the King has appointed several of the late Government to the Council, yet they retain their old principles. The Governor-General should also have power to displace Councillors who oppose the King's interests, and elect others in their stead, as it will be impossible to raise a revenue. Great numbers of people are coming to this country from Britain. One ship has now brought us sixty passengers, with two Nonconformist ministers. I have pressed that all persons over sixteen years of age should give in their names and an account of themselves, and take the oath of allegiance, but this was looked upon as a great discouragement to good people, and is referred to the instructions of the Governor-General. I find the country dissatisfied for want of an Assembly of representatives from the several towns in the Government, with power to raise money and make laws. The great matters they aim at are a general pardon, a confirmation of the property of all lands and possessions, and the establishment of Independency by law. They are very cold and backward towards my proposals to raise a revenue by quit-rents and a duty on imports, which, when Rhode Island and Connecticut are added to this Government, may amount to nigh 4,000*l*. a year. Part of this should be devoted to the maintenance of officers in the several ports of the country (as in New York). No men of credit will undertake that trust, unless they have a competent allowance for it. A pirate of fourteen guns and a hundred men has been lately on the coast. Captain St. Loe was ordered out, but came too late, the pirate having robbed two sloops laden with provisions, and sailed to the West Indies. Not long since, Grammont, a Frenchman, with a ship of fifty guns, lay off Carolina, and wished to trade, which was refused him. *Signed*, Ed. Randolph. *Holograph*. 3 *pp*. *Endorsed*. Recd. 21 Oct. Read, 24 Oct. 1686. [*Col. Papers, Vol. LVIII., No.* 32, *and Col. Entry Bk., Vol. LXI., pp.* 332-335.]

Aug. 23. New York. **825.** Entry of the cargo of the ship Mariner's Adventure. *Signed*, John Smith, Collector. *Scrap*. *Endorsed*. [*Col Papers, Vol. LVIII., No.* 33.]

Aug. 23. New York. **826.** William Wilson to Governor Dongan. I fear that I have incurred your disfavour. Captain Santon lately shewed me the "Present State of England," wherein I found that the English had liberty to trade either in the East or West Indies in any place belonging to the Portuguese, which would help in relation to our ships. He told me that he had found nothing wherein they lay liable to seizure, that as I had made a free report of all our goods and entered them I might ship them on any ship that I

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pleased, and that if anyone should stop them I had a good right of action. Mr. Smith told me the same, so I could do no less than readily embrace the offer in discharging my trust to the gentlemen concerned. I hope that my proceedings, being for the benefit of the owners, cannot be construed as a disrespect to you; on the contrary, when Mr. Smith told me there was an antipathy between you and Captain Santon, and grown to such a height that the master of both must decide it, I thought it my duty not to concern myself therein. *Signed*, William Wilson. ½ *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 34.]

Aug. 24. **827.** Agreement between Governor Dongan, William Wolliford, and William Wilson, that all the goods in the Mariner's Adventure that come to the Custom House are to remain there until security has been given to answer any claims of the Royal African Company. *Signed*, William Wilson. ½ *p.* [*Col. Papers, Vol. LVIII., No.* 35.]

Aug. 24. **828.** Minutes of Council of Jamaica. The Assembly attended. The Lieutenant-Governor assented to three private bills, and prorogued the Assembly to September 16th. Order for payment of three months' salary to the Lieutenant-Governor. [*Col. Entry Bk., Vol. XXXVI., pp.* 132-133.]

Aug. 25. Rhode Island. **829.** Address of the Quakers of Rhode Island to the King. We and our predecessors in this county have been here near forty-nine years, having left Boston whence we were driven by those who pretend to be refined Christians. We understand that the authorities, with the free consent of most of the inhabitants, have laid themselves at your feet on receiving the writ of *Quo Warranto* against the Charter. We beg that even if the Government be altered, we may enjoy the religious indulgence granted by the Charter and the indulgence in the matter of oaths, that our solemn promise may pass instead of an oath, and that we may be excused from bearing arms. *Signed*, on behalf of the Quakers, John Easton, Dan. Gould, Edward Thurston, Giles Slocum, John Rodman, John Easton, jun. 3¼ *pp. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 36.]

Aug. 26. **830.** Earl of Middleton to the Dutch Ambassador. In reply to your memorial (*see No.* 813), the King will give orders for the restitution of Tortola. *Copy.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 37.]

Aug. 28. Boston. **831.** Petition of Edward Randolph to Lords of Trade and Plantations. I was granted the posts of Secretary and Registrar of New England, in reward for much arduous service. On the establishment of the new Government, I produced my commission and asked for the records of my office, but the President and Council have appointed other persons to perform the office of registrar in different parts of the country. They have also refused me the sum of eighty pounds paid to the former Secretary for clerks and other expenses. I continue to do my duty as Secretary, although thus defrauded of my due; but I beg that this salary

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and the fees and perquisites of my office as sole Registrar may be paid to me. *Signed*, Ed. Randolph. 2½ *pp. Endorsed.* Presented at the Committee, 24 Oct. 1686. [*Col. Papers, Vol. LVIII., No.* 38.]

Aug. 30. Windsor. **832.** Warrant for the establishment of two foot-companies for the royal service in New England. Each company to consist of captain, lieutenant, ensign, two sergeants, three corporals, one drummer, fifty privates. The rates of pay of each rank are set down, being the same as in England. A surgeon at 2*s.* 6*d.* a day is added, and tenpence a day is allowed for contingencies. Total cost per day, £5 14*s.* 0*d.*, per year £2,080 10*s.* 0*d.* *Countersigned*, Sunderland, Rochester. *Copy.* 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 39.]

Aug. 30. **833.** Grants by the Proprietors of Carolina of one hundred acres of land to Isaac le Grand, Sieur d'Anarville, and the same to Mr. James Le Moyne, they having each paid five pounds for the same. *Signed*, Craven, Albemarle, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 84.]

Aug. 30. **834.** Commission from Lord Craven appointing James Colleton, Governor and Commander-in-Chief of the province of Carolina South and West of Cape Fear. *Signed*, Craven. [*Col. Entry Bk., Vol. XXII., p.* 85.]

Aug. 30. **835.** Instrument authorising James Colleton or some one of the Landgraves in his place to let land to immigrants in the Proprietors' name. Form of indenture for the purpose. [*Col. Entry Bk., Vol. XXII., pp.* 87-90.]

Aug. 30. **836.** Instructions for the granting of land in Carolina. (1.) On every navigable river five hundred acres is to be reserved for the port town, chosen for convenience of shipping and of storing merchandise. (2.) Encouragement to persons to build in that port town. (3.) Ferries must be appointed on every navigable river, and a thousand acres set out, the holding of which must be conditional on the maintenance of the ferry. (4-6.) Rules as to allotment of land to Landgraves and Caciques, and (7-12) to others who have rights by purchase. (13, 14.) Rules as to river frontage. (15.) No grants to be passed above thirty miles south of Stono, nor above fifty miles north of Ashley and Cooper rivers. (16, 17.) Rules as to reservation of plots for towns. (18.) Any free emigrant over sixteen years of age may be granted fifty acres of land on lease, with fifty more for each servant that he imports over sixteen, and forty acres for every one under that age. The servants to receive fifty acres, at a rent of one penny per acre at the expiration of their time. Form of warrant for land-grants. [*Col. Entry Bk., Vol. XXII., pp.* 91-97.]

Aug. 30. Barbados. **837.** The Lieutenant-Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the transactions of Council and of imports. *Signed*, Edwyn Stede, Francis Bond, Christopher Codrington, John Hallett, Tim. Thornhill, Thomas Walrond. [*Col. Entry Bk., Vol. VII., p.* 396.]

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Aug. 31. **838.** Journal of Assembly of Barbados. Two members only present, who, after waiting till three o'clock, adjourned to the 28th of September. [*Col. Entry Bk., Vol. XIV., p.* 160.]

Aug. 31.
Bermuda. **839.** Lieutenant-Governor Molesworth to William Blathwayt. The frigates are returned from looking after Banister for the second time. They found his ship burnt, she having been much disabled by their shot, but the pirates abandoned her and went away in their smaller vessel. On Captain Sprag's first arrival (about a week before Captain Talbot's), he found about twenty men on the little island, who fired some small shot at him but immediately fled over to the Main. He thinks it probable that Banister was among them. The French, after the disabling of his ship, refused to obey him, and it is believed that some of the French, owing to their disputes with him, set fire to the ship. Sprag brought away twenty of her best guns in a sloop, but she has not yet arrived here, having been driven to the north side of the island by stress of weather. I am now sending out the Drake to wait for a sloop that is suspected to be gone for some of the seamen of the company of the six mentioned in a former letter. I have taken no measures yet against the other five, as it would alarm too much those for whom I lie in wait, and perhaps cause me to lose them. But as soon as they are settled I shall use all diligence to bring the rest to condign punishment. This can be better done by allowing them a little time to gain a false feeling of security, than by seeking them at once, when they are cautious.

The Assembly having made some other proposals to raise the money, wherein they took care to save themselves, I told them plainly that I would agree to no other method but taxation of themselves, and desired them to put it at once to the vote whether they would tax themselves or not. They agreed to do so, but only by the vote of the chairman; but next day, when the adverse party was strengthened by the votes of a member or two who had been sick on the previous day, they did all they could to confound that vote. When therefore it was put to the question, upon what the tax should be laid, the majority were for a tax on land, to be reckoned by the acre, hoping that, the method being so unfair, it would never pass. The difference in the value of land is so great that, while some is worth 20*l.* an acre, other is not worth half-a-crown. I prorogued them to the 16th September, giving time to those who live at the greatest distance to consider their interest, so that the business at the next meeting will be very short. I intend that they shall either raise the money on themselves by some equal tax or leave all else undone, for I do not mean them to proceed either with Negro Bill, which is so necessary for them, or any other business, till that be done. Two public and three private Acts have been passed, which I shall probably send home by next ship. Recd. 10 Dec. 1686. [*Col. Entry Bk., Vol. XXXI., pp.* 191-196.]

[August.]
Bermuda. **840.** Governor Richard Cony to the Earl of Sunderland. I have caused the King's letter to be published, have caused all proofs to be received by the Council, and send copies of all the proceedings.

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I have seized five of the principal ringleaders and sent them prisoners on board H.M.S. Dartmouth, to be delivered to you. I should not have troubled you with them, but their combination and accomplices are so strong that I cannot safely bring them to trial here. I received letters from the Governor of Nevis, asking me to deliver up Captain Sharpe, on a charge of piracy. As I have already reported, I was forced to retain him for the King's service to suppress the rebellion here, which he did. What may be proved against him I know not, but he has shewn himself a loyal and good subject, and an extraordinary instrument in preserving the King's peace. I have written to the Governor of Nevis and New England to beg that, if condemned, he, his lieutenant, and his master may, ere they suffer, be sent to you to maintain their evidence on the King's behalf. Many have already been sent to you. Captain St. Loe is urgent to sail, so I say no more. *Signed*, Richard Cony. *Holograph.* 1 *p.* [*Col. Papers, Vol. LVIII., No.* 40, *and Col. Entry Bk., Vol. XVIII., p.* 92.]

[August.] **841.** A collection of depositions enclosed with the preceding despatch from Governor Cony.

841. I. Depositions of William Phips, John Bee, and others. That they heard William Keele say that he would not deliver up his Commissions, but would keep possession of the forts. Sworn, 3 June 1685. *Certified copy. Scrap. Endorsed.*

841. II. Deposition of Stephen Righton. As to an attempt to tamper with a jury on the part of Richard Stafford. May 16, 1679. *Certified copy.* 1 *p. Endorsed.*

841. III. Deposition of Bartholomew Sharpe. That when Richard Stafford was delivered as a prisoner on board his ship, a paper was found on him to the effect that part of the country were ready to rescue him by force. Sworn June 27, 1686. *Certified copy.* 1 *p. Endorsed.*

841. IV. Depositions of Paul Abney, Sharpe's lieutenant, confirming the preceding. Sworn 28 June 1686, and before the Council 19 August 1686. *Certified copy. Scrap. Endorsed.*

841. V. Depositions of Thomas Valley, Sharpe's master, confirming the preceding. Sworn 28 June 1686. *Certified copy. Scrap. Endorsed.*

841. VI. Deposition of Paul Abney. That Stafford had mentioned to him a conspiracy to buy arms and put down Captain Sharpe by force; and that Hugh Wentworth told him the same. Deposition of Hugh Wentworth, contradicting the above. Sworn 30 June 1686. 1 *p. Certified copy. Endorsed.*

841. VII. Minutes of Council of Bermuda. *August* 3.—The King's letter as to the charges of William Righton and William Milborne against Governor Cony read. Righton deposed to words used by Richard Stafford, that the country with one shoulder should shove this Government out.

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August 9.—The Governor proposed that the Council should take the sacrament on Wednesday next. The Council agreed as to taking it, but asked for more time for preparation. The Council proceeded to the hearing of evidence on Milborne's and Righton's charges against the Governor, but it was resolved that the Governor's complaints should be first heard; and he laid his information against Christopher Burrows accordingly.

August 10.—William Peniston was called, but did not appear. Bartholomew Sharpe gave evidence as to bringing away William Righton's sloop. 2½ *pp.*

841. viii. Deposition of Jonathan Stokes. That William Keele and George Bascom, on 20 October 1685, came up to him while on duty at Pagett's fort, and told him that they were come on the King's service to review the stock of powder, and that if he wouldn't open the door, they would. Sworn before Council, 3 August 1686. *Certified copy.* 1 *p.* *Endorsed.*

841. ix. Deposition of Francis Tucker. That William Keele denied his authority when he was sent to Smith's fort by the Governor. Sworn August 4, 1686. *Scrap.* *Endorsed.*

841. xi. Deposition of John Vardill. As to his forcible expul- told him that he had been put into Smith's fort by King Charles, and that if deponent came there he would make his blood fly. *Sworn as the foregoing. Scrap. Endorsed.*

841. xi. Deposition of John Vardill. As to his forcible expulsion by Christopher Burrows and others from a stranded vessel which he had been sent by the Governor to fetch into harbour. Sworn 9 August 1686. 1 *p.* *Endorsed.*

841. xii. Deposition of John Harlow, confirming the preceding. Sworn 9 August 1686. *Scrap.* *Endorsed.*

841. xiii. Deposition of Thomas Swan, to same effect. Sworn 9 August 1686. *Scrap.* *Endorsed.*

841. xiv. Deposition of Caleb Wright, to same effect. Sworn 9 August 1686. ½ *p.* *Endorsed.*

841. xv. Deposition of William Pearman, to same effect. Sworn 9 August 1686. ½ *p.* *Endorsed.*

841. xvi. Deposition of John Hubbard. That Christopher Burrows brought away the arms which he had taken from the Governor's people on board the French vessel. Sworn 9 August. *Scrap.* *Endorsed.*

841. xvii. Deposition of John Searles as to the assault made by Christopher Burrows on the Governor. Sworn 9 August 1686. *Scrap.* *Endorsed.*

841. xviii. Deposition of Mary Storman on the same. Sworn 9 August 1686. *Scrap.* *Endorsed.*

841. xix. Depositions of Jonathan Ming and Roger Browne on the same. Sworn 9 August 1686. 1 *p.* *Endorsed.*

841. xx. Deposition of Sibella Righton. As to a design of John Hubbard, Richard Stafford, and William Righton, to endeavour to prove charges against the Governor. Sworn 9 August 1686. 1 *p.* *Endorsed.*

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841. xxi. Deposition of Mary Storman. That she saw William Righton shake his cane at the Governor and call him beggarly fellow. Sworn 10 August. *Scrap. Endorsed.*

841. xxii. Deposition of Bartholomew Sharpe. That he heard William Righton call the late Company a pack of knaves. Sworn 10 August. *Scrap. Endorsed.*

841. xxiii. Deposition of Jane Hubbard. As to ill words spoken by William Righton against the Governor. Sworn 10 August 1686. 1 *p. Endorsed.*

841. xxiv. Depositions of Bartholomew Sharpe and Richard Phillips as to disrespectful language and behaviour of William Righton towards the Governor. Sworn 10 August 1686. 1 *p. Endorsed.*

841. xxv. Deposition of Copeland Lea. As to several meetings held by William Righton and Richard Stafford for addressing the King as to grievances. Sworn 10 August 1686. 1 *p. Endorsed.*

841. xxvi. Deposition of William Righton. That Richard Stafford never spoke to him about shouldering the Governor out. Sworn 10 August 1686. *Scrap. Endorsed.*

841. xxvii. Deposition of Richard Stafford. As to words and behaviour of William Righton of ill consequence to the Governor. Sworn 10 August 1686. 1 *p. Endorsed.*

841. xxviii. Depositions of Francis Tucker and John Hubbard. As to rude behaviour of William Milborne to the Council. Sworn 10 August 1686. 1 *p. Endorsed.*

841. xxix. Deposition of Joseph Milbourn. As to a negro boy that the Governor tried to take from him by force. Sworn 10 August 1686. 1 *p. Endorsed.*

841. xxx. Deposition of Michael Brown. As to the countenancing of a mulatto thief by the Governor. Sworn 10 August 1686. ½ *p. Endorsed.*

841. xxxi. Deposition of George Bascom. As to the presenting of articles against Henry Durham to the Governor and Council. Sworn 10 August 1686. *Scrap. Endorsed.*

841. xxxii. Deposition of John Tucker. That the articles against Henry Durham were read. Sworn 10 August 1686. *Scrap. Endorsed.*

841. xxxiii. Deposition of Francis Watlington. As to violent and seditious language used by William Peniston. Sworn 10 August 1686. 1 *p. Endorsed.*

841. xxxiv. Deposition of John Stone. As to the drawing up of articles by Samuel Trott against the Governor and of words used by him on the occasion. Sworn 10 August 1686. ½ *p. Endorsed.*

841. xxxv. Deposition of Samuel Trott. Remembers nothing of the matters described by preceding witness. Sworn 10 August 1686. *Scrap. Endorsed.*

841. xxxvi. Deposition of Samuel Trott. As to articles exhibited by William Righton against Henry Durham. Sworn 10 August 1686. ½ *p. Endorsed.*

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841. xxxvii. Depositions of Bartholomew Sharpe and Thomas Valley. As to Samuel Trott's design to proceed with proofs of the articles against the Governor before the King's letter could reach him. Sworn 10 August. 1 *p.* *Endorsed.*

841. xxxviii. Deposition of John Argent. That Righton's charges against Durham did come before the Assembly. Sworn 10 August. *Scrap.*

841. xxxix. Minutes of Council of Bermuda. 12-14 August. Examination of several witnesses. 3½ *pp.* *Endorsed.* Recd. 23 Nov. 86.

841. xl. Deposition of Joseph Stow. That the Governor committed William Milbourne for saying that the King was only supreme head of the Church under Christ. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xli. Deposition of Stephen Righton. That the Governor forced him to pay fees for two sea-briefs. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xlii. Deposition of Francis Jones. That the Governor made him pay powder-money to himself, saying he would not trust the Sheriff with it. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xliii. Deposition of Richard Peniston. That the Governor made him swear that the King was supreme of the Church. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xliv. Deposition of Stephen Righton. That he saw the Governor strike his brother William twice with his cane, on no provocation. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xlv. Deposition of Anthony White. To the same effect as No. XLII. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xlvi. Deposition of Francis Dickenson. To the same effect. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xlvii. Deposition of Richard Pitt. That he has several times paid the Governor fees for sea-briefs. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xlviii. Deposition of Michael Burrow to same effect. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. xlix. Deposition of William Pitt. That the fee of five shillings for sea-briefs has been long established as a custom. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. l. Deposition of Anthony White. That though of the Assembly he heard nothing of William Righton's articles against Henry Durham. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. li. Deposition of Lawrence Dill to same effect. Sworn 12 August 1686. *Scrap.* *Endorsed.*

841. lii. Deposition of Samuel Trott. That William Righton did present articles in the Assembly against Henry Durham. Sworn 12 August 1686. ½ *p.* *Endorsed.*

841. liii. Deposition of Joseph Hinson. As to abuse and blows given to Christopher Burrows by the Governor. Sworn 12 August 1686. 1 *p.* *Endorsed.*

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841. LIV. Deposition of Thomas Burton. In confirmation of the preceding. Sworn 12 August 1686. 1 *p.* *Endorsed.*

841. LV. Deposition of William Righton. That Richard Stafford told him he had paid £12 to John Tucker in England, to carry on the complaint against the Governor. Sworn 14 August 1686. *Scrap.* *Endorsed.*

841. LVI. Deposition of John Scarles. That William Righton coming into the Governor's presence with his hat on, his brother being with him, the Governor put off his hat with his stick. Sworn 14 August 1686. *Scrap.* *Endorsed.*

841. LVII. Deposition of the same. As to the words used by John Ballinger, "If this be serving the King, let us serve the King no longer." Sworn 14 August 1686. *Scrap.* *Endorsed.*

841. LVIII. Deposition of Bartholomew Sharpe. As to his arrest of John Ballinger on the Governor's order. Sworn 14 August 1686 *Scrap.* *Endorsed.*

841. LIX. Deposition of Richard Stafford. That he never wrote or received a letter while in prison on board Sharpe's ship. Sworn 14 August 1686. ½ *p.* *Endorsed*

841. LX. Deposition of Captain George St. Loe. As to an attempt of a witness, James Farmer, to strike the Governor. Sworn 16 August 1686. ½ *p.* *Endorsed.* [*Col. Papers, Vol. LVIII., Nos.* 41 I-LX.]

Sept. 4. **842.** Warrant of the Lords Proprietors of Carolina for the grant of three thousand acres of land to Henry Augustus Chastaigner, Seigneur de Cramaké, and Alexander Thezée Chastaigner, Seigneur de Lisle. *Signed,* Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 86.]

Sept. 6. **843.** Deposition of Thomas Burton. As to the seditious and mutinous action of Stafford, Keele, Bascom, Righton, and others towards the Governor. 1 *p.* *Endorsed.* Recd. from Colonel Cony, 15 Feb. 86-7. [*Col. Papers, Vol. LVIII., No.* 42.]

Sept. 7. **844.** Journal of Lords of Trade and Plantations. Address of the Governor and Company of Rhode Island of 3 July read (*see No.* 750). Agreed to advise that the Colony be included in Sir Edward Andros's Government, and that he be empowered also to receive the surrender of the Charter of Connecticut and take in that Colony also. Colonel Dongan to be ordered to deliver Pemaquid to Sir E. Andros.

Draft commission to Sir Nathaniel Johnson from the Leeward Islands read and approved.

Colonel Molesworth's letters of 15 and 23 June and 5 July read.

A paper of proposals from Sir Robert Robinson read (*see No.* 845). Agreed to submit them to the King. Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 11-15.]

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[Sept. 7.] **845.** Sir Robert Robinson's request to the Lords of Trade and Plantations concerning Bermuda. (1.) That a sufficient salary be established. (2.) That arms and ammunition be provided. (3.) That for protection against pirates or other enemy, forty or fifty regular soldiers may be sent out. (4.) That the unserviceable guns in the Castle may be changed for new ones. (5.) That good gun-carriages may be provided, or (6) such a man as Sharpe may come again and master the Colony. *Copy.* 1 *p. Endorsed.* Read 7 Sept. 86. [*Col. Papers, Vol. LVIII., No.* 43.]

[Sept. 7.] **846.** Lords of Trade and Plantations to Governor Dongan. We enclose you the petition of Robert Wright and Francis Pew, together with Sir Edmund Andros's answer (*see Nos.* 681, 847) for your report. Meanwhile all proceedings touching the lands concerned must be stopped. *Draft, with corrections. Undated.* [*Col. Papers, Vol. LVIII., No.* 44.]

[Sept. 7.] **847.** Answer of Sir Edmund Andros to the petition of Robert Wright and Francis Pew (*see No.* 681). I was not present when this judgment against petitioners was obtained, but if it be upheld it will defeat most if not all of the English grants and improvements in New York. 2¼ *pp. Copy. Endorsed.* Recd. 7 Sept. 86. [*Col. Papers, Vol. LVIII., No.* 45.]

Original draft of foregoing, with corrections. 2 *pp. Endorsed.* Recd. 7 Sept. 86. [*Col. Papers, Vol. LVIII., No.* 46.]

Sept. 7. Council Chamber. **848.** William Blathwayt to Lord Dartmouth. Forwarding the account of the stores and forts in Jamaica (*see No.* 716). [*Col. Entry Bk., Vol. XXXI., p.* 167.]

Sept. 8. **849.** Minutes of Council of Maryland. James Heath sworn Clerk of the Council. John Loder appeared, and laid a complaint against Captain John Crofts, of H.M.S. Deptford, for extorting, by vexatious detention of his vessel, five barrels of English brandy, two barrels of Jamaica sugar, one piece of shirting flannel, and a case of excellent strong waters, the whole valued at 36*l.* Crofts, before he allowed him to sail, made him promise to sign a paper stating that he had given and received nothing for his discharge. A deposition of Samuel Woodward, making complaint that Crofts had insulted him, called him into his cabin, boxed him severely, and ordered him to be put into bilboes. He remained in irons for an hour and a half, during which time his ketch was searched, but nothing irregular found. Crofts, however, would not let the ship go till he had taken some bacon from him. Further evidence. Warrant for arrest of certain persons for drinking the Duke of Monmouth's health and speaking foul words of the King. [*Col. Entry Bk., Vol. LIV., pp.* 30-35.]

Sept. 10. **850.** Journal of Council and Assembly of Nevis. Act for continuing former Acts for two years published. Petition of the Governors of the Island read. Petition of Edward Harris, Provost Marshal, for a free tavern-licence. [*Col. Entry Bk., Vol. XLVIII., p.* 123.]

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Sept. 10. **851.** Minutes of Council of Maryland. Legal and judicial business. Complaint of the Chopticoe Indians, through their King, Mr. William Assouam, of encroachment and damages suffered from their English neighbours. Major William Boarman ordered to enquire into the matter and strictly to forbid malpractices in future. [*Col. Entry Bk., Vol. LIV., pp.* 35-39.]

Sept. 10. H.M.S. artmouth, at Boston. **852.** Captain St. Loe, R.N., to the Earl of Sunderland. I was ordered in my passage hither from Nevis to call at Bermuda and seize Captain Bartholomew Sharpe for piracy, which I did, and have him, his crew, and ship, all in custody. But I cannot try them before I return to Nevis. I was forced to stay some time at Bermuda, by the Governor's request, to settle the disturbances there, and at my departure took five of the principal ringleaders on board by the Governor's order to be delivered to you. Meeting with this ship bound direct for London, I have transferred them to her, under the care of one of my gentlemen, Mr. George Hay, and four other men. *Signed*, G. St. Loe. *P.S.*—Sharpe sold upwards of thirty Spanish Indians, subjects of the King of Spain, captured at Campeachy, to the Bermudians. I think that the Governor should not have allowed it. 1 *p. Endorsed.* Recd. 18 Nov. 86. [*Col. Papers, Vol. LVIII., No.* 47, *and Col. Entry Bk., Vol. XVIII., pp.* 13, 14.]

Sept. 11. New York. **853.** Grants of Crown lands by Governor Dongan to Gilbert Crom (*pp.* 6, 7) and David Gardner (*pp.* 8-11). [*Col. Entry Bk., Vol. LXXIII., pp.* 6-11.]

Sept. 11. **854.** Benjamin Bullivant to Edward Randolph. I served the Order in Council on Mr. Rawson about the delivery of the records. After much talk he has answered that he will shortly see you about it, that the oath of God is upon him to the country that entrusted him, and that he cannot satisfy his conscience that he ought to resign them unless discharged by a power that can indemnify him. He also thinks it right that before he be discharged of his trust the arrears of his salary should be paid as well as a consideration for his trouble in sorting the papers, which will take some time and require an assistant. *Copy.* ½ *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 48.]

Sept. 12. **855.** Petition of Peter Reverdy to the King. New England and New York consume over two million bushels of salt a year. I am skilled in making salt, and have found places proper for the same in these countries. I propose to advance your Revenue £10,000 a year in a few years by an excise of five shillings a ton for all salt made and sold in those parts. I beg a Patent for the sole making of salt within the 40th to the 44th degrees of latitude in America, and for power to take up the land proper for the purpose in any of the plantations, or to purchase it at the current rates if already taken up. *Sheet. In the margin.* Order of the King referring the petition to Lords of Trade and Plantations for report. Windsor, September 12, 1686. *Signed*, Sunderland. *Inscribed.* 13 Oct. 1686. [*Col. Papers, Vol. LVIII., No.* 49.]

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Sept. 12.
Windsor.
856. Instructions to Sir Edmund Andros as Governor of New England. *Clause* 18.—The style of enacting laws is to be "By the Governor and Council." *Clause* 37.—Neighbouring Colonies are to be assisted on occasion. *Clauses* 40, 41.—The Indians are to be encouraged to trade, and their land is to be bought, if thought expedient. *Clause* 43.—He is to report as to Richard Wharton's claim to Pojebscot, and (44) on the title to the Narragansett country. 53.—He is to encourage the conversion of the negroes. 57.—No printing is to be permitted without a licence. [*Col. Entry Bk., Vol. LXI., pp.* 285-296.]

Sept. 12.
857. Memorandum of Lords of Trade and Plantations. The Government of Rhode Island having agreed not to stand suit with the King over the *Quo Warranto*, the Lords agree to recommend that Sir Edmund Andros be empowered to receive the surrender of the Charter, promising them the King's countenance and protection, and to exercise there the same powers of government for that Colony as for the other Colonies of New England. An additional instruction to that effect was accordingly drawn up for Sir Edmund Andros. *Here follows the instruction*, giving the same powers also in respect of Connecticut, if that Government should take the same course as Rhode Island. [*Col. Entry Bk., Vol. LXI., pp.* 305-307.]

Sept. 12.
Windsor.
858. Commission to Sir Nathaniel Johnson to be Governor of the Leeward Islands. [*Col. Entry Bk., Vol. XLVII., pp.* 201-211.]

Sept. 12.
859. Proposals of the Duke of Albemarle as to Jamaica. Identical with *No.* 759, but with the details as to the 2,500*l.* in the last article omitted. *Endorsed.* Read in the Committee, Sept. 12, 86, before his Ma^{ty}. 2½ *pp.* [*Col. Papers, Vol. LVIII., No* 50, *and Col. Entry Bk., Vol. XXXI., pp.* 243-246.]

Sept. 13.
Windsor.
860. Warrant to George, Lord Dartmouth, Master-General of the Ordnance. For the delivery of ammunitions and stores to Sir Edmund Andros, for New England. *Countersigned*, Sunderland. *Copy.* ½ *p.* *Enclosed*,

860. i. A list of the stores referred to. 4 *pp.* [*Col. Papers, No.* 51, 51i., *and Col. Entry Bk., Vol. LXI., pp.* 308-311.]

Sept. 13.
New York.
861. The Secretary of New York to William Blathwayt. I hope to be myself the bearer of the quarterly returns required by the Lords of Trade and Plantations. *Signed*, J. Spragge. 1 *p.* *Endorsed.* Recd. 15 Nov. 86. [*Col. Papers, Vol. LVIII., No.* 52, *and Col. Entry Bk., Vol. LXVIII., p.* 152.]

Sept. 14.
862. Minutes of Council of New York. Governor Dongan took the oaths on receiving his new Commission and Instructions. Anthony Brockholes, Frederick Flipson, Stephanus van Cortlandt, John Spragge, and Gervis Baxter were sworn of the Council. Agreed that Mr. Santen be not sworn yet. The Governor's commission and instructions read. Charter of liberties drawn up by the General Asembly read and repealed. Order to prevent frauds by trading vessels. [*Col. Entry Bk., Vol. LXXIII., p.* 1a.]

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Sept. 14. **863.** Minutes of Council and Assembly of St. Christopher's. Order for all owners of ships to enter them with the Secretary of the Island, on pain of forfeiture. [*Col. Entry Bk., Vol. XLVIII., p.* 59.]

Sept. 14. Minutes of Council of Maryland. Order for issue of writs to call the Assembly together on 31 October, and for issue of writs for election of members in place of other members dead or departed the country. The question of promoting the building of towns was considered, and a proclamation issued appointing officers to superintend the execution of the Acts passed with that object, and declaring that any words spoken or published to the effect that building of towns is not for the good of the country shall be construed as disaffection to the Government, and punished accordingly. Order for suppression of Robert Gellie's ordinary at St. Marie's, as prejudicial to the public. A criminal under sentence of death for stealing a horse pardoned on condition of becoming common hangman.

Sept. 15. Instructions to the officers appointed to execute the Acts for promoting the building of towns. Full nominal list of those officers, thirty-three in all. Order for entry of all goods shipped to be made in his Lordship's shipping offices. On the question whether Colonels Henry Darnall and William Digges, joint keepers of the great seal during Lord Baltimore's absence, should both sign all instruments, the Council decided that Darnall alone should sign, and it was ordered accordingly. William Dent appointed Clerk of the Lower House of Assembly.

Sept. 16. Proceedings against Giles Porter and others charged with drinking the Duke of Monmouth's health and speaking treasonable words. *This report is at great length.* [*Col. Entry Bk., Vol. LIV., pp.* 39-62.]

Sept. 16. **865.** Lords Proprietors of Carolina to Governor James Colleton. Empowering him to remove Robert Quarry from all his offices, and appoint other officers in his room, if need be. [*Col. Entry Bk., Vol. XXII., p.* 98.]

Sept. 15.
Jamaica. **866.** Lieutenant-Governor Molesworth to William Blathwayt. The sloop for which I was lying in wait escaped Captain Sprag, but on further information I sent a sloop after her, under Lieutenant Smith, of the Falcon, who came up with her just as nine men left her in canoe, who escaped into a creek where he could not follow them. The captured sloop has been brought into Port Royal, and the master is awaiting his trial for holding correspondence with pirates. I caused search to be made for the nine men, but without success. Captain Talbot has orders to keep out guard-boats every night and do his best to surprise some of them. I shall make severe examples of any that are caught. Recd. 10 Dec. 1686. [*Col. Entry Bk., Vol. XXXI., pp.* 196-197.]

Sept. 16. **867.** Minutes of Council of New York. Order for Major Patrick Macgregory to muster the Militia in all the counties and report on them to the Governor. The Militia is to be exercised

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on at least four days in the year, one of which is to be October 14th, the King's birthday. A list is to be printed of the unenrolled men between sixteen and sixty. All Militiamen failing to appear when summoned will be fined ten shillings for the first offence, twenty shillings for the second, and forty or a month's imprisonment for the third. Order for Captain Lucas Santen to appear with the troop of horse under his command on October 14th next, and for Major Nicholas de Meyer to give notice to the captains of foot within the city to draw out their companies on that day. Orders to the King's revenue officers for the protection and regulation of the revenue. [*Col. Entry Bk., Vol. LXXIII., pp.* 1A-5A.]

Sept. 16. **868.** Minutes of Council of Jamaica. Message from the Assembly, reporting their meeting. The Governor answered, recommending them to raise money by an equal tax from their own estates for their own security and for payment of debts incurred. He ordered the Speaker to put the question directly to the vote, that there might be no evasion, and suggested a parish-tax. [*Col. Entry Bk., Vol. XXXVI., pp.* 133, 133A.]

Sept. 18. **869.** Minutes of Council of Jamaica. Petition of the Parish of St. George, praying for relief from the burden of defending themselves against rebellious negroes in adjoining parishes, referred to the Assembly, also that of Ann Symes, for compensation for wounds received from the rebel negroes. Order for sundry payments. Message from the Assembly. A parish tax for part payments had been negatived, but for future defence against rebel negroes had been affirmed. The Assembly suggested additional duties on imports, to meet the past debts. The Council asked for a free conference, to which the Assembly agreed. [*Col. Entry Bk., Vol. XXXVI., pp.* 133A-134A.]

Sept. 18. **870.** Minutes of Council of New York. Enquiries as to the information of Captain Matthias Nicholls against John Smith, of the Customs, for refusing to take into the Custom-house a bale of raw silk. Order for Smith to be arrested and brought before the Council. On his appearance he apologised, but was fined ten pounds, and it was the Council's advice that he be allowed to serve no longer in any office belonging to the King's revenue. The Governor forgave him the fine. [*Col. Entry Bk., Vol. LXXIII., pp.* 5A-7A.]

Sept. 18.
Barbados. **871.** Lieutenant Governor Stede to Lords of Trade and Plantations. "Having now, through the goodness of God, in great measure recovered my health and strength from the dismal and epidemical distemper of this country called the belly-ache, which has raged this year more than usual amongst all sorts of people, and with which I have been miserably tormented above two months," I am able to explain my long silence. In July I received the King's orders as to St. Lucia, and sent away H.M.S. Mary Rose, Captain John Temple, with a sloop, to execute the royal commands therein, giving him at first ten files of landsmen to attend the service there, which however were presently disbanded, the Mary Rose being judged sufficiently well manned. Temple

therefore sailed to St. Lucia, executed his orders as well as he could there, and proceeded to St. Vincent, where he found the Indians and negroes very insolent, but few Christians living there. It being the hurricane season and the weather growing foul, Captain Temple sailed for Tobago, which has not only been never visited by hurricanes, but has plenty of secure harbours. I hope, therefore, for his safe and speedy return. Captain Temple sent the sloop to me with an account of what he had done. This vessel meeting with foul weather, was forced to run in to St. Lucia for water, where she was received with a volley of small shot from forty or fifty French, who called them thieves, pirates, and robbers, though she was flying the King's jack and pennant. The commander fired two or three patararoes towards the shore, which made the French retire into the woods, no damage being done on either side. The captain then went ashore and filled his water-casks without hindrance, but found that the King's arms set up by Captain Temple had been broken down. I send copies of the papers sent me by Captain Temple, among which are the commissions given by French Governors to the subjects of these islands to cut timber and to plant. If this had been reported before, the French at Martinique would not be so well fortified as they are, for I am told that they have no timber for fortification in their own territories, but have built all with timber from St. Lucia. Since the French Governor at Martinique is much disgusted with what has been done at St. Lucia, and threatens revenge, I have thought it best to send a copy of my orders to Captain Temple, of my proclamation, and of other papers written by me on that occasion.

I have received the King's order to admit Richard Harwood to the Council. The appointment was such a surprise to the Council that the members begged me to suspend his admission until they had represented to you his incapacity to serve, and received your further orders. They alleged that he stood under scandalous circumstances which disabled him for so honourable a trust, but these not being known nor made to appear to me, I duly admitted and swore him. On this, I presume, the Council have addressed the King for his removal. I wish Mr. Harwood's education and experience had rendered him better qualified; but I never till now knew that he was other than a loyal and honest man, nor do I now know the truth of the stories against him. I have lately called an Assembly, both for the collection of the Laws and for the completion of the fortifications. I hope soon to give you a full account as to your orders respecting Mr. Daniel and Sir Richard Dutton. 2½ *closely written pages. Endorsed.* Recd. 15 Nov. Read 20 Nov. 1686. [*Col. Papers, Vol. LVIII., No.* 53, *and Col. Entry Bk., Vol. VII., pp.* 389-391.] *Annexed,*

871. I. Instructions of Lieutenant-Governor Stede to Captain John Temple, R.N. You will sail to St. Lucia, and send an armed party ashore there, as if to hunt, who will discover from the inhabitants their numbers and the resources of the Island, and ask them how they came to be there without permission of the King of England.

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If they answer you unkindly you will do your best to secure them and bring them away, but you will use no act of hostility unless they first offer violence to you. Then you will hoist the King's colours and read the Proclamation. But if they answer you gently you will cause them to set their seals to the document of submission to be subjects of the King of England. If they refuse to do this you will remove them, demolish all their buildings and plantations, set up the King's arms on some suitable tree and steer for St. Vincent and Dominica, where you will perform the same service. You will then repair to Martinique, but not so as to expose yourself to the warships or batteries, and deliver my letter to the Governor that the passengers and their goods may be put ashore; but if need be you will put them ashore yourself as best you can. If weather force you, you may put into Tobago instead of returning here directly. *Twelve articles. Signed,* Edwyn Stede. 22 July 1686. *Copy. Large sheet. Endorsed.* Recd. 15 Nov. 86.

871. II. Proclamation of Lieutenant-Governor Stede, calling upon all foreigners who have made settlements on the Islands of St. Lucia, St. Vincent, and Dominica, without the King's licence, to leave the Islands with their goods or subscribe a paper acknowledging the sovereignty of King James. They are further directed not to fish or fell timber without leave from the Governor of Barbados. *Signed,* Edwyn Stede. 22 July 1686. *Large sheet, endorsed as the preceding.*

871. III. Form of acknowledgment of the King of England's sovereignty over St. Lucia, Dominica, and St. Vincent, to be signed by the foreign inhabitants who wish to remain thereon. 1 *p. Endorsed as the preceding.*

871. IV. Letter from Lieutenant-Governor Stede to Comte de Blenac, Governor of Martinique. Announcing that, in obedience to the King's orders, he has directed all French subjects to be removed from Dominica, St. Vincent, and St. Lucia, and be transported in a King's frigate to Martinique, with their goods, and desiring boats wherein to land them. *Dated,* 22 July 1685. *Copy. Endorsed as the preceding.*

871. V. Captain Temple, R.N., to the Governor of Martinique. In obedience to my orders, I have ordered the French subjects at St. Lucia to leave the Island, with their goods. Some have peaceably obeyed but others will not, but fly into the woods when we approach. I must ask you to send a vessel to fetch them off, or I shall be compelled to use force against them. I have also found much of the King of England's wood cut, ready to be carried away by some of the inhabitants of Martinique. This I must not permit, and I beg that you will forbid French subjects to fell timber, sow, plant, or fish on or about this Island,

unless they acknowledge the sovereignty of the King of England. *Dated*, 30 July 1686. *Copy.* 1½ *pp. Endorsed as the preceding.*

871. VI. Journal of Captain Temple's voyage to St. Lucia and St. Vincent. *Sunday* 25 *July.*—Sailed from Speight's Bay at 10 p.m. *Monday* 26*th.*—Sighted St. Lucia at 2 p.m. Lay off and on till next morning, when went ashore about noon with fifty armed men at Pigeon Island, where we found two houses but no one in them. After a time a Frenchman came to us who had run into the woods. On speaking to him, he said that he durst not acknowledge the sovereignty of the King of England for fear of the Governor of Martinique. Hoisted the flag and read the proclamation, then crossed to the Main Island, picked up a canoe on the way, and carried the people on board her ashore. Came to a house, but found no one in it. On announcing my business, these men gave the same answer as the first. *Tuesday* 27*th* (*sic*).—Went ashore to remove the people with their goods, as they had promised should be done, but found they had removed their goods and hidden themselves in the woods. *Wednesday* 28*th.*—A French sloop came in to cut wood. Ordered them to abstain, and to wait and carry off the inhabitants. Saw several houses and persons before landing, but on reaching the shore found no one. *Thursday* 29*th.*—Went ashore and burnt the houses. *Friday* 30*th.*—Sent the master of the French sloop ashore, to induce his countrymen to depart, but he could find none. Set fire to all houses in the bays in these parts, and destroyed the plantations, but left their goods at the water-side. *Saturday* 31*st.*—Went ashore again, when a party of Frenchmen came down and called us pirates, heaving billets of wood at us. Fired a shot or two at them, and they fled into the woods. *Saturday, August* 1*st.*—Went ashore again, found no one, destroyed more houses. *Monday* 2*nd.*—Went ashore again, and continued yesterday's work. A Frenchman appeared, and announced his readiness to leave the Island for Martinique. *Tuesday* 3*rd.*—Sailed for St. Vincent. *Wednesday* 4*th.*—Anchored before St. Vincent at 11 a.m. Several Indians on shore, with bows and arrows. Manned the boat and discoursed with them from the sea, assuring them that I meant them no harm. They retired behind a bank, and stood ready to let fly at us, using very base language and firing several arrows at the sloop. We fired at them, and they fled into the woods. Burnt their houses and went off. *Thursday* 5*th.*—Weighed and sailed to Leeward. The Indians shot several arrows as the boat neared the shore, but at our landing they disappeared. Burnt their houses and destroyed their plantations. At the door of one of the houses found a letter written by a French Jesuit. *Copy.* 4 *pp. Endorsed as the preceding.*

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871. VII. Captain Temple to Lieutenant Governor Stede. *The bulk of this letter is simply an abridgment of the journal given in the preceding abstract.* The reason for my not going to Dominica is that we fear a hurricane. *Dated,* 6 August, 1686. *Copy.* 1½ *pp. Endorsed as the preceding.*

871. VIII. The same to the same. Reporting a further skirmish with Indians at St. Vincent. *Dated,* 10 August 1686. 1 *p.*

871. IX. Pass from the Governor of Martinique for carpenters to go and cut wood at St. Lucia. *Signed,* Le Conte (*sic*) de Blenac. 3 Sept. 1679. 1 *p. Endorsed as the preceding.*

871. X. A similar pass. *Signed,* Chambly. 22 Janvier 1683. *Scrap. Endorsed as the preceding.*

871. XI. A similar pass. *Signed,* Blenac, and *countersigned,* Larmoigneux. *Endorsed as the preceding.*

871. XII. Father Combaud to [the English commander]. Having been obliged to follow the Caribs, in order to baptise the poor children who might die of fatigue and to help those whom it might please God to inspire with Christian feelings, I have left this letter at your door to ask your protection for one of our brothers, who is with me in this Island, and for two servants, a Frenchman and a little Carib, who has lived with us for seven or eight years at Martinique but has been frightened into leaving us. I beg your protection also for myself, for my little hut, and for all that belongs to us. Count de Blenac, in the patent which he gave us three months ago, on our departure for St. Vincent, begs all foreigners to assist us, and our superiors also thought of asking protection of the English General for the missionary fathers at St. Vincent. I hope that you will anticipate this favour, for which we shall be greatly obliged to you. *Signed,* Pierre Combaud, Jesuit. *Dated,* à la Grande Savanne, St. Vincent, le 15 Aout 1686. 1½ *pp. Endorsed as the preceding. This is evidently the letter mentioned in No. VI.*

871. XIII. Deposition of John Woolven and Joseph Blake. Put in with their sloop at Martinque for wood and water, but were refused. The Governor said they might go to St. Lucia for it. He added that a pirate, who called himself Temple of the Mary Rose, had been at St. Lucia, which was the French King's, and had driven the French off the island, but that he had raised five hundred men and two men of war, which deponents saw lying in the harbour, to fight Temple. The Governor also said tnat he would pull down the King's arms set up by Captain Temple in St. Lucia, and would know by what authority the French in the Island had been disturbed. Sworn before Edwyn Stede. 15 Sept. 1686. *Original.* 1 *p. Endorsed as the preceding.* [*Col. Papers, Vol. LVIII., Nos.* 53 I.-XIII.]

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Sept. 19. **872.** Warrant of the King to Governor Dongan. For the delivery of the fort and country of Pemaquid to Sir Edmund Andros. [*Col. Entry Bk., Vol. LXI., pp.* 307-308.]

[Sept. 20.] **873.** Petition of Christopher Rennolls and others to Governor Dongan. Claiming a bale of silk picked up by them at sea, as part of the crew of the Mariner's Adventure, as salvage. 1 *p. Endorsed.* A reference of petition by the Council of New York to Captain Matthias Nicolls. Sept. 20, 1686. *Signed*, J. Spragge. [*Col. Papers, Vol. LVIII., No.* 54.]

[Sept.] **874.** Captain Matthias Nicolls to Governor Dongan. On the petition of the seamen of the Mariner's Adventure, I find that a proportion of salvage is due to the seamen, as well as to the officers of the ship, to be divided among them according to their qualities. *Signed*, M. Nicolls. 1 *p. Undated.* [*Col. Papers, Vol. LVIII., No.* 55.]

Sept. 20. **875.** Minutes of Council of New York. Captain Christopher Billop gave evidence of scurrilous language used by Captain Santen against the Governor, and as to frauds on the revenue in Long Island. Ordered that Mr. Santen give in all his papers to the Auditors, and all money due to the King to Governor on October 6th, also a weekly account of the money received by him on the King's account in future. Petitions of the master and men of the Mariner's Adventure referred to Captain Matthias Nicolls. [*Col. Entry Bk., Vol. LXXIII., pp.* 7A, 8A.]

Sept. 20. **876.** Minutes of Council of Jamaica. Report of the free conference. The Council would not consent to the additional duty on imports, and the Assembly would not give way. Message to the Assembly that the Governor could not consent to the additional duty. Order for all members of Council to attend its service, under pain of a fine of five pounds.

Sept. 21. Mr. Speaker reported that the Assembly had voted for a committee to draw up a Poll Bill, to pay the debts incurred for suppression of the negro rebellion. [*Col. Entry Bk., Vol. XXXVI., pp.* 135, 135A.]

Sept. 23. **877.** Minutes of Council of New York. The Governor sent for Mr. Santen, and admonished him to be more civil and more diligent in future. He proposed Messrs. Edward Antill, Paulus Schrick, and Thomas Coker as his under-officers. Resolved that the Excise be farmed out. Order as to land-patents, and as to the better protection of the revenue in Long Island. [*Col. Entry Bk., Vol. LXXIII., pp.* 8A, 9A.]

Sept. 23. **878.** Records of several documents. (1.) Deeds of Indian Sachems, making over land to the inhabitants of Hampstead, July 17, 1643, and 11 May 1658. (2.) Of the delivery of a letter by the Rev. Josias Clarke. (3.) Of the appointment of John Rand as Emmanuel Windsor's attorney. [*Col. Entry Bk., Vol. LXXIV., pp.* 13-28.]

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Sept. 24. **879.** Minutes of Council of Jamaica. The Message of the Assembly as to the Poll Bill having been considered, the Lieutenant-Governor replied that he would hear of no more proposals from them; but that if they agreed to vote 1,000*l.* to be paid to the suppressors of the negro rebellion before Christmas, he would consent that the remaining debts should be charged on an Act for additional duties on imports. The Speaker ordered to put it at once to the vote whether they will do as much or no, and if the House refuse to put it to the vote or pass it in the negative, to adjourn the House and report to the Lieutenant-Governor. The Speaker reporting that the Assembly refused to put it to the vote, the Lieutenant-Governor dissolved them. Copy of his speech. The field-officers summoned to advise as to the reduction of rebellious negroes. Account of the sufferings of St. George's, St. Mary's, and St. Thomas's parishes from those negroes. The Governor proposed martial law, but Major Archbold offered to do the work with volunteers. Other officers made like offers, which were accepted on trial, to see if these measures would prove effectual. [*Col. Entry Bk., Vol. XXXVI., pp.* 136-140.]

Sept. 24. **880.** Lieutenant-Governor Molesworth's speech to the Assembly of Jamaica. I had intended to sum up to you your whole proceedings up to this day, but your own minutes are sufficient to shew my integrity towards you, and your own unsteady and double dealing. I shall only remind you that you have all of you acknowledged the necessity of raising the money required and voted that necessity unanimously, but have since been so cautious not to affect yourselves therewith that you have omitted nothing, however unreasonable, to ease yourselves therein, and would resolve upon nothing that might burden yourselves. You have been so fickle and inconstant that nothing was to be depended on from you. You have on several occasions voted one thing one day and contradicted it the next, so that your whole proceedings have been nothing but a confused medley of contradictions. Never was the venerable name of Assembly so dishonoured as at this time. All things have been carried not by strength of argument or reason, but by noise and number of voices, led by malice and followed by ignorance. Since, therefore, your whole aim seems to be to take some little care of yourselves, but none of the poor people by whose labours and hazards you have so long slept in security, or of the generous persons who voluntarily advanced money for your service, I do in the King's name dissolve you, and you are hereby dissolved. 1½ *pp. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 56.]

Sept. 26. Windsor. **881.** Warrant for the delivery of the seal of New England to Sir Edmund Andros. [*Col. Entry Bk., Vol. LXI., pp.* 311-312.]

Sept. 27. **882.** Minutes of Council of New York. Order that Lieut.-Colonel John Young, being very ancient and of insufficient estate, be not sworn of the Council until the aforesaid reasons be submitted to the King. Order for the suspension of Peter de le Roy from his post in the King's revenue, he being under suspicion of

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false dealing in former years. Mr. Santen proposed Mr. Richard Jones to take his place, to which the Governor assented. Testimony of Edward Antill against John Smith, of saying that all the Roman Catholics here are villains. Petition from John Smith, praying for a rehearing of his case and re-admission as an officer of Customs. Refused. [*Col. Entry Bk., Vol. LXXIII., pp.* 9A-12A.]

Sept. 28. Jamaica. **883.** Lieutenant-Governor Molesworth to William Blathwayt. I dissolved the Assembly on the 24th instant. The Minutes of Council will explain to you my reasons, so I shall add little. They voted a Poll Bill, which, as agreed on, would have answered our ends, and directed their committee to lay a duty on offices and titles, together with a charge on Plantations. The Committee drew up the Bill accordingly, but the House at the first reading threw it out by sixteen to four, giving no other reason for this sudden change than that they had been caught in an unwary moment, and found the tax unequal. The Speaker informed me of it, and added that he thought they would make some other offers to raise 1,500*l.* for present and future parties; but I answered that they had been so fickle and inconstant that I would hear no more from them, but would show them that I was unalterable. I delivered my Bill therefore to him, and charged him to put it to the vote, directing him, if they threw it out or refused to vote upon it, to adjourn till morning and bring me word what they had done. He accordingly informed me that they had refused to allow it to be put to the vote with such tumult and noise that he feared the House would have gone together by the ears if he had not adjourned it. He added that the majority was so composed that nothing could be expected from them, which was my own opinion. I therefore proposed to the Council to dissolve them next morning, and did so with the enclosed speech (*see No.* 880). Directly after the dissolution, I sent for all the field-officers that were among them, and proposed to the Council to enforce martial law for the reduction of some outlying and rebellious negroes about the parish of St. George's, who have been more mischievous than formerly and demand immediate suppression. On this Major Archbold, member for this parish and one of the disaffected members, seeing how ill he should be able to justify himself to the electors, offered to march in ten days with thirty volunteers, at no expense to the country, and remain at the work till he had done something considerable. He named others in the same predicament as himself who would do the same with parties of twenty, which undertaking I expect will be fulfilled in the same spirit as the proposals and votes of the House have been. However, to take from them the pretext for reflecting upon the Government, the whole Council decided that martial law should be deferred till it should be seen what these volunteer parties could produce. As soon as it is found to fall short of what is required, another Council will be called to proclaim martial law, and I shall order out sufficient parties against the negroes to destroy them or to force them into the remotest parts of the Island. The numbers of these rebel negroes is variously reported at from forty to one hundred. They

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are supposed to have been formed first by negroes saved from a shipwreck on the easternmost part of the Island sixteen or seventeen years ago, who, having associated with themselves other runaways, have made themselves plantations in the mountains from which they descend into the plains in great numbers for provisions, often doing much mischief in obtaining the same. Three parties are constantly abroad out of the parishes of St. Mary, St. George, and St. Thomas, to prevent this, which is so hard a duty and so discouraging to the poorer sort of people, that those of St. George's, unless relieved, are prepared to desert their settlements. I expect the most obstinate opponents will be convinced, after a little smarting under martial law, that it is better to pay, by way of tax, others to do this duty, than to have our servants, horses, and even our persons commanded away at the will of an officer without contradiction. I hope, therefore, that the next Assembly will comply as to that point. I hope also that no future Governor will comply with them as to their security until they have repaid the money borrowed for payment of former war-parties. I send authentic copies of an Act for ascertaining the time for the servitude of rebels, and for better recovery of fines and forfeitures, also three private Acts. I beg that they may be confirmed as early as possible. [*Col. Entry Bk., Vol. XXXI., pp.* 185-191.]

Sept. 28. **884.** Journal of Assembly of Barbados. Act for an impost on liquors read twice, also an Act for appraisement of negroes and slaves. Adjourned to 29 November. [*Col Entry Bk., Vol. XIV., p.* 161.]

Sept. 29. **885.** Receipt by the Governor of New England for the new seal of New England. *Signed,* E. Andros. 1 *p. Endorsed.* Recd. 12 Oct. 86. [*Col. Papers, Vol. LVIII., No.* 57, *and Col. Entry Bk., Vol. LXI., p.* 312.]

Sept. 30. **886.** Minutes of Council of New York. Order for the survey of land newly purchased in Long Island. Mr. Peter Schuyler reported that he had heard that there were two hundred French waiting in the woods for the people of New York. Ordered that those who have licence to trade with the Indians do not go to the south west, but travel to the Ottawas through the Sinoques country, meeting the traders for Albany on the way. Detailed orders for the guidance of the traders. [*Col. Entry Bk., Vol. LXXIII., pp.* 12A-15A.]

Sept. **887.** Sir Thomas Pinfold's report on the affront to H.M.S. Dartmouth, at Porto Rico (*see No.* 678 v.). The outrage offered by the Spaniards is of such a high nature that it cannot be recompensed otherwise than by the lives of the chief actors therein. Yet that the treaties with Spain may be inviolably kept on this side, I recommend that a process be issued from the High Court of Admiralty, with due notice to the Spanish ambassador here, calling on the Spaniards to shew cause for their conduct. This done, the King of Spain is bound to do justice on the Governor of Porto Rico and give good satisfaction. As to the damage claimed by Thomas Bisse, process should be issued calling upon the pirate

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captain or any others concerned to justify their seizure of the negroes. If the King of Spain delay or refuse satisfaction, letters of reprisal are to be granted. *Signed*, Tho. Pinfold. 1½ *pp. Endorsed.* Sept. 86. [*Col. Papers, Vol. LVIII., No.* 58.]

Oct. 1. **888.** Order of the President and Council of New England as to Cambridge College. That Gibbes, Rogers, Mitchell, and Dudley be scholars of the house for the year ensuing, and be allowed at least five pounds apiece. *Added to extract of Minutes of Council of* 23 *July.* [*Col. Papers, Vol. LVIII., No.* 6.]

Oct. 1. **889.** Minutes of Council of New York. Acts and orders for the regulation of the Indian trade of Albany read a first time. Petition of Edward Antill, complaining of abusive language used towards him by Lucas Santen. Mr. Innes, minister, brought in a table of Holy days. Order for the closing of the Custom House (except on urgent occasions) on all Sundays and on thirty-four other days. Mr. Santen not appearing as he had promised, the Governor sent for him five times, when he brought a petition begging that Antill's cause against him might be heard. [*Col. Entry Bk., Vol. LXXIII., pp.* 15A-19A.]

Oct. 1.
New York. **890.** Grant of Crown lands by Governor Dongan to William Fisher (pp. 12-14) and Anne Garton (pp. 14-21). [*Col. Entry Bk., Vol. LXXIII., pp.* 12-21.]

Oct. 2.
New York. **891.** William Wolliford's receipts for freight and salvage-money received for a bale of silk brought into New York. 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 59.]

Oct. 2. **892.** A second receipt by Wolliford and his mate for their share of salvage-money for the same. *Scrap. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 60.]

[Oct. 2.] **893.** An account of the value of the bale of silk, its value and the apportionment of the shares. *Signed*, M. Nicolls. *Long sheet.* [*Col. Papers, Vol. LVIII., No.* 61.]

Oct. 4. **894.** Minutes of Council of New York. Lieut.-Colonel John Young sworn of the Council, Major Brockholes being absent. Acts and orders for regulation of the Indian trade at Albany read and approved. New order on the same subject. Order for the Sheriffs to ascertain the numbers of the Militia and statistics of births, marriages, and deaths and other matters relating to the population. [*Col. Entry Bk., Vol. LXXIII., pp.* 19A-22A.]

Oct. 4.
New York. **895.** Certificate of agreement arrived at between the Surveyor-General of Customs and William Wolliford, that the ivory brought in by him should be carried to England, when Wolliford should give satisfaction to the East Indian and African Companies that he had not encroached on their privileges. *Signed*, Pat. Mein. ½ *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 62.]

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896. Record and entry of (1) Appointment of Abraham Depeystes and Charles Lodowyck, of New York, as attorneys of Benjamin de Jeune. (2.) Of Charles Lodowyck as attorney to Gerard van Heythuysen. (3.) Commission of Alexander Innes as chaplain of New York garrison, 20 April 1686. (4.) Letter of administration from the Archbishop of Canterbury to Joshua Lasseur. (5.) Certificate of the Lord Mayor of London covering a letter of attorney from Peter Renew. [*Col. Entry Bk., Vol. LXXIV., pp.* 28-41.]

Oct. 5.
Jamaica.

897. Lieutenant-Governor Molesworth to William Blathwayt. I am comforted and satisfied to think that the King and great Ministers think well of my services as Governor, but to be advised at the same time that the King was giving away half of my salary, if not the perquisites, is a great discouragement, especially since there are few, if any, examples of a cause so disputable being decided after hearing of one side only. I still hope that the King will hear my side, and beg you to lay the matter before the Lords. They cannot fail to see the difference between my case and that contemplated by the Order in Council. The Lieutenant-Governor therein mentioned must be dependent on an absent Governor, who has been actually vested with the government on the spot, which was not the case with Sir Philip Howard or the Duke of Albemarle. To suppose otherwise would be to infer that Governors are Governors from the moment that their commissions are signed. By my first commission, on the death of Sir Thomas Lynch I was virtually Governor, with the same powers and instructions. The instructions directing what the salary should be, give me the same right to it as Sir T. Lynch. My latter commission differs from the former only to my advantage, since it is not determined by the commission of the present Governor; and to strengthen this, Sir Philip Howard's Commission and Instructions were sent to me. Moreover, this salary is not paid from the King's Treasury in England, but out of his revenue here, raised by an Act which declares it to be for the support of the Government and no other use whatever, except what is set apart for the fortifications. I have borne the charge of government alone, and have lived up to it, in the belief that the whole salary was due, as creditably as my predecessors, so the loss would fall heavier on me. And what the consequences may be of perverting the intentions of the Act upon other Assemblies, I leave their Lordships to guess. They are always ready to lay hold of such a pretence as an excuse against raising money. I beg, too, that the matter may be laid before the King, and that if an order has been passed against me unheard, it may be suspended until both parties can be heard at the Council-table, or that at least the claims of Sir Philip Howard and the Duke of Albemarle may be limited by the dates of their commissions. If any objection be offered to my perquisites by the Spanish trade, I beg that it may be remembered that that trade has been wholly produced by my credit as a merchant, without which there would have been neither trade nor payment. Whatever the King may order shall be received by me with satisfaction, and I beg that I may be apprised of it as soon

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as possible, to save or end disputes. The Lord Treasurer's letter has not reached me. Unless it be in the box with the Great Seal, it may probably have fallen into the hands of interested persons.

As soon as the Council can be called together, Byndloss's reflections on Beeston shall be examined. I have lately received ten prisoners restored by the Governor of Havana. He also sent me a certificate that the Spaniard in our hands was not the man who robbed the ketch for which he was condemned, so that I am very glad that the King has pardoned him. Yankey, the privateer, has taken a Spanish vessel with fifty thousand dollars off Havana. If we could meet with him, this would be a good time to call him to account for the English sloop that was condemned at Petit Guavos, but he is said to be bound northward. The Governor of Havana told me that the Governor of Florida had been much alarmed by Grammont, whom some of the people of Carolina were said to have joined. He begged that measures might be taken to restrain English settlements from joining with pirates. Recd. 4 Dec. 1686. [*Col. Entry Bk., Vol. XXXI., pp.* 177-184.]

Oct. 6. Jamaica. **898.** Admiralty accounts of 1685 as to seizures and trials of pirates passed in Council, 6 October 1686. Cr. 38*l*. Dr. 31*l*. 1½ *pp. Copy. Endorsed.* [*Col. Papers, Vol. LIII., No.* 63.]

Oct. 7. **899.** Minutes of Council of New York. Sundry petitions. Mr. Santen produced his papers and an answer to the Order in Council of 20 September, which was deemed insufficient. He was allowed till 21 October to execute the directions of the Order in Council. [*Col. Entry Bk., Vol. LXXIII., pp.* 22A, 23A.]

Oct. 9. Port Royal. **900.** Proceedings in the Admiralty Court of Jamaica, against the Swallow, pirate, seized by Captain Talbot as an unfree ship; with copy of the sentence of acquittal declared on 10 November 1686. *The whole.* 4 *pp. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 64.]

Oct. 10. **901.** Memorandum to Lords of Trade and Plantations. To represent that several persons are at work upon the discovery of mines in New England, which may prove to be very profitable, and may better be directed from England than from any colonial port; and to beg that mines in New England may not be included in any general grant of mines in America without hearing the Governor or the parties concerned in New England. *Draft.* 1 *p. Endorsed.* 10 Oct. 1686. [*Col. Papers, Vol. LVIII., No.* 65.]

Oct. 11. **902.** Petition of the principal freemen of Providence Plantation, New England. Resigning all charters and privileges, and asking for pardon and indulgence; begging that the Colony may be annexed to the Governor of Massachusetts, New Plymouth, and the King's Province, being almost in the centre of all three, that it may share in the religious indulgence granted to others, and that the signatories may not be looked upon as consenting to any address or agency in any other sense, nor obliged to pay taxes for

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the cost of such ½ *p.* *Signed,* Thomas Field, Nathaniel Waterman, Richard Smith (for Christopher Robards), Silas Carpenter, Benjamin Carpenter, Jeremiah Rhodes, Timothy Carpenter, Thomas Harris. *Endorsed.* Recd. 14 Dec. 86. [*Col. Papers, Vol. LVIII., No.* 66.]

Oct. 11. **903.** Minutes of Council of New York. Order regulating the precedence of the captains of the foot-companies in the city. Nicholas Bayard, the Mayor for the year ensuing, took the oath of office, as also Mr. John Knight, Sheriff. [*Col. Entry Bk., Vol. LXXIII., pp.* 23A, 24A.]

Oct. 12. **904.** List of papers delivered to Sir Edmund Andros, with his receipt for the same. *Signed,* E. Andros. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LVIII., No.* 67, *and Col. Entry Bk., Vol. LXXIII., p.* 315.]

Oct. 13. **905.** Journal of Lords of Trade and Plantations. Petition of Peter Reverdy read, and referred to Sir Edmund Andros (*see No.* 855). The question of the mint at Boston considered. Order that the arguments put forward in its favour be sent to the Commissioners of the Mint. Petition of Mr. Mason read, asking for an early hearing of the appeal of William Vaughan. Agreed to appoint a day, and give all parties notice. Mr. Randolph's letter of 28 July read (*see No.* 794).

Act of the Leeward Islands for government of convict rebels read and approved. Sir Nathaniel Johnson asked for recruits for the two companies at St. Christopher's. The Lords agree that no recruits should be sent until Sir Nathaniel has reported on the true condition of the companies. Petition of Thomas Cook read and referred to the Judge of the Admiralty (*see No.* 910).

Sir Robert Robinson's proposals for stores and ammunition for Bermuda, and as to his salary, read. The Lords gave orders for an account shewing the salary and profits of the Governor in the time of the late Company. [*Col. Entry Bk., Vol. CIX., pp.* 15-19.]

Oct. 13. **906.** Memorandum of Lords of Trade and Plantations. On the representation of Sir Nathaniel Johnson, the Lord President was moved to bring before the King the necessity for recruiting the two companies of foot-soldiers at St. Christopher's. [*Col. Entry Bk., Vol. XLVII., p.* 212.]

[Oct. 13.] **907.** Petition of Robert Mason to Lords of Trade and Plantations. I am come to answer the appeal of William Vaughan. The ships for New England sail shortly. Pray appoint an early day. 1 *p.* *Endorsed.* Read at Committee, Oct. 13, 1686. [*Col. Papers, Vol. LVIII., No.* 68.]

[Oct. 13.] **908.** Sir Robert Robinson's proposals concerning Bermuda. Repeating his request for guns (*see No.* 845), begging that in consideration of his salary the expense of his outward voyage may be considered, as well as his previous services, and asking for passage in a man-of-war. *Copy.* 1 *p.* *Endorsed.* Read 13 Oct. 86. [*Col. Papers, Vol. LVIII., No.* 69.]

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Oct. 13. **909.** Lords of Trade and Plantations to the King. We do not favour the proposal to re-establish a mint at Boston, but we think that Sir Edmund Andros should have power to regulate pieces-of-eight and foreign coin. [*Col. Entry Bk., Vol. LXI., p.* 325.]

[Oct. 13.] **910.** Petition of Thomas Cook, of Cork, in Ireland, to the King. My ship, the O'Brien, was seized by H.M.S. Dartmouth, in March last on pretence that she had candles on board her, and carried to Antigua. She was condemned at an Admiralty Court at Nevis, and then condemned for carrying candles and also as an unfree bottom. I am told that all their proceedings are contrary to law, and I appeal to your Majesty. 1 *p. Inscribed.* Recd. 1 Oct. 86. Read 13 and 26 Oct. *On the margin.* Fragment of an order referring the petition to the Lords of Trade and Plantations. *Signed,* Middleton. Dated 19 Sept. 86. Copy of this reference in *Col. Entry Bk., Vol. XLVII., p.* 230. [*Col. Papers, Vol. LVIII., No.* 70.]

Oct. 13. **911.** William Blathwayt to Sir Thomas Exton. Forwarding the petition of Thomas Cook for his report. [*Col. Entry Bk., Vol. XLVII., p.* 230.]

Oct. 16. **912.** Journal of Council and Assembly of Nevis. The Assembly was sworn. No proposals were offered. [*Col. Entry Bk., Vol. XLVIII., p.* 124.]

Oct. 18. **913.** Proceedings of a special Court held at Charlestown, Nevis, for the trial of the ship Soldad, captured as a pirate by Captain Bear. Information of John Bear, that when searching for the ship which had plundered Tortola, he was piratically assaulted by the ship La Soldad, but repelled the assault and captured her, but not her crew. Depositions of his crew, confirming his story. Depositions of three witnesses, identifying the ship as having been formerly the property of another pirate. Names of the jury. Copy of the verdict, finding the ship to be a pirate. Judgment accordingly. *Certified copy.* 8 *pp. Endorsd.* Recd. from Sir Ja. Russell, 18 March 1686-7. [*Col. Papers, Vol. LVIII., No.* 71.]

Oct. 18. **914.** Petition of the Royal African Company to the King. We have struggled under great difficulties to support the great expense of maintaining our forts and factories abroad, whereby we have kept the African trade from falling wholly into the hands of the Dutch. But we have gained little for ourselves, owing to the injury done by interlopers contrary to your royal charter, which by litigation in the King's Bench has been declared to be agreeable to the laws of England. Yet interlopers still go to the Coast of Guinea, and will, most of them, go thence to the Plantations, where, in spite of your orders to seize and condemn them, the negroes are put ashore in remote ports and creeks, and your order thus evaded. We beg that orders may be issued to the Governors that interlopers and such as work with them may be punished with fine and imprisonment. [*Col. Entry Bk., Vol. XCVII., pp.* 117-120.]

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Oct. 18. Reference of the foregoing to Lords of Trade and Plantations for report. *Signed,* Sunderland. Whereupon the Lords agreed to insert a clause in the instructions of the several Governors. Copy of the clause. [*Col. Entry Bk., Vol. XCVII., pp.* 120-122.]

Oct. 18. **915.** Minutes of Council of New York. The Governor informed the Council that Mr. Santen had not brought in the weekly accounts required of him since 6th October. On the petition of Richard Smith, it was ordered that no person stop or arrest an Indian on the "whaling design," on penalty of a fine of 100*l.* [*Col. Entry Bk., Vol. LXXIII., pp.* 24A, 25A.]

Oct. 19. **916.** Commission of Lucas Santen to Richard Rogers, as land waiter and searcher at New York. 1 *p.* [*Col. Papers, Vol. LVIII., No.* 72.]

Oct. 19.
Treasury Chambers.
917. Henry Guy to William Blathwayt. Forwarding instructions for the Governor of New England, with the report of the Commissioners of Customs thereon, and a paper of alterations. *Signed,* Hen. Guy. ½ *p. Endorsed. Enclosed,*

917. I. Commissioners of Customs to Lords of Trade and Plantations. The instructions submitted to us are almost identical with those issued for Virginia and Maryland. New England, however, differs from them, since none of the enumerated articles grow in New England, but are brought there in the way of trade from other Colonies. We have, therefore, suggested alterations. *Signed,* W. Dickinson, Ch. Cheyne, D. North, Jo. Werden, J. Buckworth, T. Chudleigh, Sam. Clarke. 1½ *p. Endorsed.* [*Col. Papers, Vol. LVIII., Nos.* 73, 73I., *and* (*enclosure only*) *Col. Entry Bk., Vol. LXI., p.* 329.]

Oct. 19.
Plymouth.
918. Richard Stafford to John Tucker. I and four more were sent prisoners on board H.M.S. Dartmouth, when she arrived, and not allowed to go ashore. We were carried to New England, and again not allowed to go ashore. We were then sent on board another ship with a guard, with one pound of Indian corn a day per man and not a drop of water or drink. We are now in Plymouth Harbour, and I hear we are to be delivered to a Secretary of State as rebels. What they have against me I know not. We have no money nor means of paying our expenses. Use your interest that we may not be brought ashore as rogues. At New England, Randolph came on board, pitied us much, blamed our guards for not releasing us, and gave me a letter to you. *Signed,* Richard Stafford. *Holograph.* 1 *p. Endorsed.* Recd. 23 Oct. 86. *Memorandum in Entry Bk.,* Mr. Atterbury, the messenger, ordered to take them into custody as soon as the ship comes into the river. [*Col. Papers, Vol. LVIII., No.* 74, *and* (*in part*) *Col. Entry Bk., Vol. XVIII., pp.* 89, 90.]

[Oct. 19.] **919.** Account of the profits accruing to the Government of Bermuda. Crown lands, 600*l.*; whale-fishery, 100*l.* The Assembly generally raised taxes equal to 100*l.* per annum; the Company

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sometimes levied in England by duties 1,500*l.* more, of which it allowed the Governor 50*l.* for salary. 1 *p. Endorsed.* The King declared his pleasure Sir Robert Robinson should have 400*l.* a year, viz., 100*l.* from the whale fishery, 60*l.* from Crown lands, and 240*l.* from England. 19 Oct. 1686. [*Col. Papers, Vol. LVIII., No.* 75.]

Oct. 20. **920.** "A list of the Council of Jamaica, as desired by the Duke of Albemarle, 20 Oct. 1686." Hender Molesworth, Sir Henry Morgan, Sir Charles Modyford, Sir Francis Watson, Robert Byndloss, James Walker, Thomas Freeman, John Cope, Thomas Ballard, Thomas Fuller, John Bawden, Samuel Barry. ½ *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 76.]

Oct. 20. **921.** "Proposals of the Duke of Albemarle to the Lords of Trade and Plantations, read 20 October 1686, the African Company being called in." All negroes first to be lotted shall be set from five to at most ten in a lot, whereof the majority shall be men, none over forty or under fourteen years of age; no sick or infirm negroes to be put in a lot. Four sworn men, two to be named by the Governor and two by the Company's factors, to divide every ship-load of negroes into lots, and to receive sixpence or a shilling a head for their pains. Any man who will buy a lot shall have it at [*blank*] a head, paying in bills of exchange at sixty days' sight. The factors are sufficient judges of the solvency of buyers; the common custom for bills returned protested to Jamaica is 25 per cent., while the drawer must pay if his bill be not satisfied in England. Merchants or planters residing in England may contract with the company for negroes on the same terms. 1 *p. Endorsed with the above heading.* [*Col. Papers, Vol. LVIII., No.* 77.]

Oct. 20. **922.** Libel of the Admiralty Court of Jamaica against Richard Hollins, for harbouring pirates. *Copy.* 1½ *pp. Endorsed.* 20 Oct. 1686. [*Col. Papers, Vol. LVIII., No.* 78.]

Oct. 20. **923.** Lieutenant-Governor Stede to Lords of Trade and Plantations. Since my last, Captain Temple is returned from Tobago, thank God, though we have had little stormy weather this year. While there he was informed by some of the inhabitants that the commander of a brigantine belonging to Martinique, but then lying at Tobago, had often been heard to say that if he met any English vessels at Tobago he would take them and confiscate them, having a commission from Count de Blenac to confiscate all English vessels found in the harbours of that Island, which was the property of the French King by conquest from the Dutch in the last war. He said further that St. Lucia, Dominica, and St. Vincent belonged to the French crown. The inhabitants also informed Captain Temple that they suspected this French commander to be a searover and on some piratical design, being armed and manned for more than his ostensible business, to fish and hunt at Tobago. Captain Temple gave the more credit to this, inasmuch as his pinnace, being at some distance from the frigate, was attacked by two or three large periagos full of Indians with some white

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men among them, who fired several arrows and killed two men. The pinnace put them to flight, took two of the boats, and some of the Indians. The rest, with the whites, saved themselves by swimming, but in the boat were found French arms and apparel, such as Indians do not wear, also some boxes. Hence the white men were suspected to belong to this brigantine. The commander's commission also shows that he has more men than were allowed him when he sailed from Martinique. Captain Temple therefore thought himself justified in bringing the vessel here for examination and trial. There was no evidence against them, so I discharged them. I enclose copies of the examination and of my letter to the Governor of Martinique. I am sending the frigate to see what more can be done at St. Lucia, and two or three ships with her to cut timber for the public use of this Island. This will maintain our claims and our possession there. All is quiet here and the weather seasonable, but the people are yet sickly, being daily visited by the terrible distemper incident to this country. Many have died, and most that have recovered have lost the use of their limbs, but we hope that the distemper is abating, and will abate, as the winds blow fresh and cold. *Signed*, Edwyn Stede. 2 *pp.* *Endorsed.* Read 19 Jan. 86-7. *Enclosed,*

923. I. Commission of Count de Blenac to Jean Pons, of the barque Françoise, of Martinique. *French. Copy.* 1 *p.* *Endorsed.* Recd. 22 Dec. 1686.

923. II. Information of two Courlanders as to threatening language used by Pons. 1 *p.* *Endorsed as the preceding.*

923. III. Examination of several French sailors of the Françoise. 2 *pp.* *Endorsed as the preceding.* [*Col. Papers, Vol. LVIII., Nos.* 79, 79I.-III., *and Col. Entry Bk., Vol. VII., pp.* 398-400.]

Oct. 20. **924.** Journal of Assembly of Virginia. At the meeting of the Governor and Council, the Clerk reported that several of the burgesses were not yet come.

Oct. 21. The burgesses being come, the Governor informed them that he found their Speaker absent, and wished to know what was become of him. Having answered that he was dead, they were bidden to choose another Speaker, and chose Major Arthur Allen, who was approved. The Governor's speech. I am glad to meet you, and hope you are sensible of the errors of last Session. I recommend to you the measures then proposed, viz., the settlement of the militia, the adjusting of tare, and the augmenting or continuing the impost upon liquors. I have, you see, proposed but few matters, so I hope we may have a short and happy Session. [*Col. Entry Bk., Vol. LXXXV., pp.* 341-342, *and. pp.* 385-386.]

[Oct. 21.] **925.** The President and Council of New England to Lords of Trade and Plantations. Among your queries, we find several relating to the trade of this country, which we have referred to merchants and gentlemen of experience, whose report we shall receive in a few days. The many commodious ports in these parts have greatly encouraged a private and prohibited trade, but we have reduced the delivering ports to a number which will check

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former frauds and abuses. Several ships have been seized and condemned of late. On 23 June last the President and certain of the Council went to the Narragansett Country and appointed officers, justices, and courts for the suppression of disorders and of violent intrusions thereon. The militia are also settled, and it is hoped that by this and other measures, the country will soon be subdued and settled. Three towns are already laid out, and named Rochester, Feversham, and Bedford. All seems likely to go well there if the unreasonable pretensions of the town of Warwick do not give new discouragement. To avoid this, the proprietors met the people of Warwick, and after making many rational proposals, suggested the reference of the question of boundaries to such indifferent persons as the President and the Governor of Rhode Island should appoint. The men of Warwick, however, who have always been very turbulent, refuse these proposals. We mention this at the request of the Proprietors, in case any complaint should reach you from Warwick. The Governments of Rhode Island and Connecticut are preparing addresses on the King respecting the writs of *Quo Warranto* served upon them. We recommend that they be united under the same Government, or, at least, that a free commerce be continued. They have always been nourished by us, and they depend on us not only for supplies, but for manufactures of all kinds, so that to divide them from us to lay restraint on trade would be ruinous to all. We have been pressed to bring to your notice the injuries done to some of our fishermen by Mons. Bergier three years since. Eight ketches were seized while fishing under the licence and protection of Mons. La Vallière, who was once accounted proprietor, and by the acknowledgment of Messieurs de Frontenac and de la Barre. The poor people are ruined by the loss. The differences with the French as to rights of fishing are in urgent need of settlement.

Captain Palmer, Judge of the Admiralty Court of New York, and now employed by Colonel Dongan to visit Pemaquid, has seized a quantity of Malaga wine imported in a ship belonging to this Government, which was landed and lying at Penobscot, a port in the tract which was made over to the French by the Treaty of Breda. Mons. de Castine, in whose charge the wine was, resents this seizure, we are told, as a violation of the Treaty, whereas Captain Palmer justifies his action by a grant made by King Charles II. to his present Majesty in 1665, and because the wine had not paid duty in England according to the Act of Parliament. Some of the people here, who have always maintained a friendly commerce with the French in these eastern ports, have made complaint, but it is for Colonel Dongan rather than for us to hear it, and if he fail to satisfy them, they will, presumably, address the King. Meanwhile we are apprehensive that this occurrence may bring on hostilities with the French, the seizure of our vessels, and the interruption of trade on the coast. Captain Anthony Haywood has complained that a ship owned by him was seized by Bartholomew Sharpe, a supposed pirate, and carried into Bermuda. We have referred his complaint to the Governor of Bermuda. The original returns received from him and from the Island we have transmitted to you. We have done our best for Mr. Ratcliff. We suppose that his expectations exceeded your intentions and orders, which were that we should assign him a maintenance out of the revenue. There is at present nothing in the Treasury, and from the first foundation of the Colony, ministers have been solely dependent on the voluntary contributions of their hearers. On examination, we find that the constant weekly contribution of Mr. Ratcliff's church has never been less than forty shillings. As his auditors increase, so will his maintenance. At present, however, we can make no augmentation, for on assuming the Government we found the Treasury empty, and all the laws for raising revenue expired. It is difficult to meet the current expenses of Government, and we beg that this may be represented to the King. *Signed*, For the President and Council, Joseph Dudley. 3½ *closely written pages. Endorsed.* Recd. 21 Oct. Read 23 Oct. 1686. [*Col. Papers, Vol. LVIII., No.* 80, *and Col. Entry Bk., Vol. LXI., pp.* 335-339.]

Oct. 21. **926.** Report of Richard Wharton to the President and Council of New England. As to a meeting between Captains George and St. Loe and Edward Randolph, wherein the two former used scurrilous words to Randolph, and struck and abused a constable who was with Randolph. Wharton tried to calm the two captains, but Captain St. Loe said that now he knew what hands the Government was in, that they were pitiful little fellows, and the like, and threatened him with his cane. Captain George also abused Randolph's officers, and threatened to whip him. *Copy.* 2 *pp. Endorsed.* Recd. from Mr. Randolph, 13 an. 1686-7. [*Col. Papers, Vol. LVIII., No.* 81.]

Oct. 22. **927.** Journal of House of Burgesses of Virginia. The burgesses considered the Governor's speech. Committees appointed.
Oct. 23. Certain claims considered. [*Col. Entry Bk., Vol. LXXXV., pp.* 386-389.]

Oct. 22. Jamaica. **928.** Henry Egleton to William Blathwayt. I send the Minutes of Council. We expect a good account of Banister by the return of the frigates. I hope so, for it will put the patriots who took his part still more out of countenance. *Holograph.* 1 *p. Endorsed.* Recd. 10 March 86-7. [*Col. Papers, Vol. LVIII., No.* 82.]

Oct. 23. **929.** Journal of Lords of Trade and Plantations. Petition of Nathaniel Weare for putting off the hearing of his appeal read, the first meeting of the Lords after the 4th November fixed as the day. Letter from the President and Council of New England read (*see No.* 925). The officers of the mint were called in, and a paper was presented by Sir E. Andros, containing reasons for a mint in New England. The officers having been heard thereon, the Lords agreed in their report, that the mint should not be re-established, but that Sir E. Andros should be empowered to fix the value of foreign coin.

The Duke of Albemarle's proposals read (*see next abstract*). *Memo.* The King ordered thereon that the suspension of Sir H. Morgan

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and Robert Byndloss should remain, as was ordered for Sir Philip Howard, that Colonel James Walker should be appointed to the Council, and that the Duke should draw half salary from the death of Sir Philip Howard, but not the perquisites.

A clause in favour of the African Company and against interlopers to be inserted in all future instructions to Governors.

New Instructions to Sir Robert Robinson, as to his salary. Orders as to the prisoners brought from Bermuda.

Proceedings of the Assembly of Nevis of 29 January last read. when a present was given to the Governor without the King's approval. Order for Sir Nathaniel Johnson to enquire into the matter, the present to remain in the hands of the Treasurer till the King's pleasure be known. Sir Nathaniel received his instructions for perusal. Report of Sir Thomas Exton on the seizure of the ship O'Brien read Order for the appeal of Thomas Cook to be admitted (*see No.* 931viii.).

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 19-27.]

Oct. 23. **930.** Proposals of the Duke of Albemarle. 1. For an instruction empowering him to enquire into the suspension of Sir Henry Morgan and Robert Byndloss by Sir T. Lynch, and to reinstate them if he see fit. 2. For the appointment of Captain James Walker to the Council by the instructions now passing. 3. For an instruction allowing him half salary and half perquisites from the date of Sir Philip Howard's death. 4. For the appointment of ships to attend him to Jamaica. Read 24 Oct. [*error for* 23] and 20 Nov. 1686. [*Col. Entry Bk., Vol. XXXI., pp.* 246, 247.]

[Oct. 23.] **931.** A collection of papers relating to the condemnation of the ship O'Brien.

931. i. Copy of the proceedings of the Court of Admiralty held in Nevis, April 6 (*see No.* 621). *Endorsed.*

931. ii. Certificate that the O'Brien was a subject's ship. *Copy.* Dated 13 Feb. 1685-6. ½ *p. Endorsed.*

931. iii. Certificate of the O'Brien that she should discharge her lading in England. 10 February, 1685-6. *Copy.* ½ *p. Endorsed.*

931. iv. Bond of 1,000*l.* given that the O'Brien should discharge in England the goods laden by her in the West Indies. 10 February, 1685-6. *Copy.* ½ *p. Endorsed.*

931. v. Cocket of goods laden in the O'Brien. *Copy.* ½ *p.* 3 Feb. 1685-6.

931. vi. Opinion of Sir Thomas Pinfold, that the seizure of the O'Brien was unjust and illegal. *Four lines written at the foot of a written question. Signed,* Tho. Pinfold. Sept. 30, 86. *The whole,* ½ *p.*

931. vii. Opinion of Mr. Serjeant Pemberton on the same question, to the same effect. *Seven lines written at the foot of a written question. Signed,* Fr. Pemberton. *Undated. The whole,* ½ *p.*

931. viii. Sir Thomas Exton to Lords of Trade and Plantations. I am of opinion that the seizure of the O'Brien is un-

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warrantable by law. In strictness there is no appeal, but the King may, *speciali gratia*, admit the complainant to except against this judgment, and I submit that it may be necessary for the security of trade and navigation; for when these Admiralties find that there is a superior power to confirm or reverse their sentences, they may be more careful to follow the rules of law and administer justice impartially. I must add that of my own knowledge I have seen judgments given in other Colonies which seemed to me very unjust, but which, as Judge of the Admiralty, I am unable to redress, there being no appeal hither. I have, therefore, though not in this case, advised the parties to petition the King. Moreover, if appeal be not admitted from such an inferior Court at such a distance away, the owner's just defence, which, as living in Ireland, he was unable to make, will be taken away, he having no knowledge of the proceedings till after condemnation. Moreover, there lies an appeal from the High Court of Admiralty in England. *Signed*, Tho. Exton. Doctors' Commons, Oct. 22, 1686. *Holograph.* 1 *p.* *Endorsed.* Recd. 23 Oct. 86. *Entered in Col. Entry Bk., Vol. XLVII., p.* 231. [*Col. Papers, Vol. LVIII., Nos.* 83I.-VIII.

Oct. 23. **932.** The state of the case respecting the Plantation trade of Ireland (*see No.* 638). The word Ireland, which appeared in the first Navigation Act, 12 Car. II., as a place to which English commodities might be carried, was struck out by the second Act of 22 and 23 Car. II. When this Act expired, therefore, it became lawful to carry goods to Ireland, but by the opinion of the Barons of the Exchequer enumerated goods from the Plantations and not having paid the Plantation duty might be seized and recovered in Ireland. On the representation of the Customs officials, however, the Governors of the Plantations were ordered to suffer all such ships as brought certificates of their giving bond in Ireland to return to Ireland or England. These orders were removed on 30 May 1685, and it is on these that Captain Powell asks for guidance. But, in the last Parliament, the Act of 22 and 23 Car. II. was revived, and on 25 July 1685 communicated to the Revenue-officers in Ireland, who pointed out the probable prejudice to the King's Customs, and insisted that the clause might be dispensed with. The Lords, however, finally decided that the clause should not be dispensed with, and an order to that effect was sent to Ireland in June last. The new instructions prepared for Sir Nathaniel Johnson, the new Governor-in-Chief of the Leeward Islands, therefore enjoin the prohibition of the trade between Ireland and the Plantations. Captain Powell's doubts are, therefore, solved by the new Act of Parliament. *Unsigned.* 3 *closely written pages. Endorsed.* Read at the Committee, 23 Oct. 86. [*Col. Papers, Vol. LVIII., No.* 84.]

Oct. 23.
London.
933. Mr. R. Normansell to the Governor and Company of Connecticut. Announcing that a writ of *Quo Warranto* against

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them has been delivered to him, and that in default of their appearance within eight days of the Feast of Purification, their charter will be forfeited. Copy of the writ of *Quo Warranto. Latin. Copy.* 1½ *pp. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 85, *and Col. Entry Bk., Vol. LXI., pp.* 315, 316.]

[Oct. 24.] **934.** Petition of Nathaniel Weare to Lords of Trade and Plantations. The appeal of William Vaughan was fixed for the first Tuesday after Michaelmas. I was ready, and remained so till the 4th instant, but now my solicitor, Mr. Humphreys, has left London. I beg that the appeal may be put off till the 4th November, when he will be returned. 1 *p. Endorsed.* Read 24 Oct. 86. [*Col. Papers, Vol. LVIII., No.* 86.]

Oct. 24. Council Chamber. **935.** Lords of Trade and Plantations to the Governor and Council of New England. Ordering the transmission of quarterly returns of the transactions of the Council. *Signed,* Sunderland, Albemarle, Musgrave, Craven, Preston, J. Ernle. [*Col. Entry Bk., Vol. LXI., p.* 314.]

Oct. 24. New York. **936.** Grant of Crown lands by Governor Dongan to Robert Sanders (*pp.* 22, 23), and to Maria Sanders (*pp.* 24, 25). [*Col. Entry Bk., Vol. LXXIII., pp.* 22-25.]

Oct. 25. **937.** Minutes of Council of New York. Mr. Santen was summoned for failing to furnish his weekly accounts. He brought a list of persons indebted to the Customs. Petition of James Lorkan, complaining of unjust dismissal from his post of searcher by Lucas Santen, referred to Judge Palmer. Order for Lucas Santen to bring the debts due to the King's revenue to October 6th to the Governor in cash, or at least bills. Order for the Sheriffs to furnish Mr. Santen with a return of quit-rents, escheats, and other revenue. Mr. Isaac Arnold and Mr. Francis Barber to furnish their accounts also. [*Col. Entry Bk., Vol., LXXIII., pp.* 25A-28A.]

Oct. 25. **938.** Journal of Assembly of Virginia. On the request of the burgesses, councillors were appointed to swear in members, in place of others removed by death. [*Col. Entry Bk., Vol. LXXXV., p.* 343 and *pp.* 389-390.]

Oct. 26-28. **939.** Journal of House of Burgesses of Virginia. Transactions of the Committee of Grievances.

Oct. 29. Act to restrain stone-horses under fourteen hands high from running at large, read a first time. Addresses to the Governor voted regarding payment of quit-rents, the revision of the laws, and the demanding of fees for instruments passed under the seal of the Colony. Several bills brought in.

Oct. 30. Several bills advanced a stage. Adjourned to the 1st November, and on that day to the 2nd. [*Col. Entry Book, Vol. LXXXV., pp.* 389-400.]

Oct. 26. **940.** The examination of Matthew French. Relating how he accidentally encountered and read a letter of Roger Elletson to Charles Morgan, containing many scandalous and scurrilous expres-

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sions against the Government. *Signed,* Matt. French. Sworn before Lieutenant-Governor Hender Molesworth. *Certified copy.* 2½ *pp. Endorsed.* Read 31 Jan. 1686-7. [*Col. Papers, Vol. LVIII., No.* 87.]

Oct. 26. Barbados. **941.** The Deputy Secretary of Barbados to William Blathwayt. Forwarding quarterly returns of the Council's transactions. *Signed,* Jno. Whetstone. [*Col. Entry Bk., Vol. VII., p.* 397.]

Oct. 27. **942.** Minutes of Council of Maryland. Proclamation proroguing the Assembly for one day. A letter from Lord Baltimore to Nicholas Sewall read, expressing his wish that, unless there was special occasion for their meeting, the Assembly should be prorogued till April. James Heath nominated Clerk of the Upper House of Assembly by Colonels Darnall and Digges, but superseded by the Council in favour of Mr. John Llewellin. [*Col. Entry Bk., Vol. LIV., pp.* 62-65.]

Oct. 27. **943.** Minutes of Council and Assembly of St. Christopher's. The Deputy-Governor produced an order for the confirmation of all officers, civil and military, in their places. [*Col. Entry Bk., Vol. XLVIII., p.* 59.]

Oct. 27. Whitehall. **944.** Order of the King in Council. That Sir Edmund Andros is hereby empowered to regulate by proclamation the value of pieces-of-eight and of other foreign coin. *Signed,* John Nicholas. ½ *p. Annexed,*

944. I. Henry Guy to William Blathwayt. Forwarding correspondence which has passed respecting the establishment of a mint in New England. *Signed.* ½ *p.*

944. II. Commissioners of the Mint to the Lord Treasurer, 15 July 1686. The officers of the Mint reported on the question of a mint to be established in New England, in January 1685. Copy of report annexed. We have only to add that when a grant was obtained, in 1662, by Sir Thomas Vyner for coining small silver money in Ireland, the King ordered the letters patent to be cancelled for reasons adduced then by the officers of the Mint. Again in 1678 Lord Carlisle applied for powers to erect a mint in Jamaica. It was found impracticable, under the terms of keeping the weight and fineness of the money to the English standard. *Signed,* Phil. Lloyd, Tho. Neale, Cha. Duncombe, Ja. Hoare. 1¼ *pp.*

944. III. Commissioners of the Mint to the Lords of the Treasury. The mint at Boston was settled in 1652, as the order here copied shows, the value being twopence in the shilling less than that of English coin. The profits of the officers were one shilling in twenty. We have examined the twelvepences, sixpences, and threepences coined in New England. The alloy of the metals is the same, but the weight is different, being less by about twenty-one grains in the shilling, and so in proportion, than English coins. This is near twopence three farthings in the shilling, or 22½ per cent. Besides, a third more is allowed for the

coinage there than in England. The preservation of a fixed standard in weight and fineness for the King's silver coinage in all his dominions is much for his security and advantage, and it cannot be altered in any Colony without prejudice to the rest. The current coin will be withdrawn, and prices will rise in proportion to the baser coin. If a mint be erected in Boston, the silver coins should be as fine as those minted in England. Smaller pieces, pence, half-pence, and farthings might be made of tin, and supplied from hence with advantage. It is noticeable that though they have continued this unwarrantable coining of money since 1652, the date of that year remains unaltered on all the coins. It is to be observed also that to encourage the bringing of silver to the Mint, they promise that there shall be but twopence in the shilling less in value than the English shilling; but after the mint-master has coined the same, they order him to pay the money out by weight, at threepence Troy weight for their shilling, and proportionally for the other pieces, which threepence Troy is about ninepence farthing sterling, and makes out the account to be 22½ per cent., as already stated, besides the expense of coinage. *Signed*, Tho. Neale, Cha. Duncombe, Ja. Hoare. *Copy.* 2½ *pp.*

944. IV. Copies of the orders for the mint at Boston. 1652. Quoted in the foregoing abstract. 1654. Forbidding the exportation of the coin of the Boston mint. 1669. Additional orders for the enforcement of the prohibition of 1654. *Copy.* 2½ *pp.*

944. V. Reasons for a mint in New England. 1. Money is the measure of value. 2. Though the standard of English money has been preserved in purity and fineness, yet the value and weight have been often changed, according to the rate of silver and the increase of trade. 3. The trade of New England, though it brought in goods from many places, brought only pieces-of-eight, of unequal weight and value, from Spain. A mint was, therefore, erected in Boston. 4. Rents have been paid and goods bought and sold in the Boston coin for years. The raising of it to the English standard would enrich the landlord and creditor, but ruin the tenant and debtor, destroy the trade of the country, and injure the King's Customs. 5. If the mint be discontinued, pieces-of-eight must be made current at the same rates as are now proposed for the King's coin, which will be at least as great an inconvenience as the mint. 6. It is not proposed to grant a patent as in Sir Thomas Vyner's case, but that all shall be done by the King's officers and for the King's profit.

944. VI. William Blathwayt to Henry Guy. Forwarding the foregoing to the officers of the Mint for their reply. 18 Oct. 86. *Draft, with corrections.* 1 *p.*

944. VII. Answer to the reasons for a mint in New England. 1. Money is the measure of value of goods, &c. We agree,

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but goods, &c., cannot be the measure of money. 2. The value of money in England has often been altered, it is true, but that is no reason why the mint in one part of the King's dominions should not hold equal balance with the mint in another. 3. We do not see how this bears on the erection of a mint in Boston different to the mint here. 4. As to the future, trade will certainly conform itself to the intrinsic value of the money. Past debts may be discharged by regulation, at the rate of fifteen shillings per pound. 5. Pieces-of-eight are but commodities, like other merchandise, and the people may be left at liberty to barter one against the other. 6. When the King orders the establishment of a mint in New England, we shall be ready to offer the best rules for it. *Signed,* O. Wynne, Tho. Neale, Ja. Hoare. Mint, 23 Oct. 86. 1¼ *pp.* *Endorsed.* Read at Committee, 23 Oct. 86. [*Col. Papers, Vol. LVIII., Nos.* 88 I.-VII., *and Col. Entry Bk., Vol. LXI., pp.* 317-326.]

Oct. 27. **945.** Duplicate of foregoing Order in Council. 1½ *pp.* [*Col. Papers, Vol. LVIII., No.* 89.]

Oct. 27. Whitehall. **946.** Order of the King in Council. That the Commissioners appointed to exercise episcopal jurisdiction in the diocese of London shall exercise the ecclesiastical jurisdiction belonging thereto in the Colonies. *Signed,* John Nicholas. ½ *p.* *Endorsed.* [*Col. Papers, Vol. LVIII., No.* 90, *and Col. Entry Bk., Vol. XCVII., pp.* 235-236.]

Oct. 27. Whitehall. **947.** Order of the King in Council. Report of Lords of Trade and Plantations. We have come to the conclusion that the ship O'Brien was wrongfully condemned, and recommend that Thomas Cook's appeal be heard by your Majesty in Council, and that Captain Saint Loe shall be in attendance. Order accordingly. [*Col. Entry Bk., Vol. XLVII., pp.* 232-233.]

Oct. 28. Port Royal. **948.** The Clerk of Assembly of Jamaica to Lieutenant-Governor Molesworth. I have, as you ordered, been calling to mind when I last saw the Poll Bill. On the morning when the Assembly was dissolved, several members were at my lodging, to copy your last message to the House. Captain Knight, Mr. Hicks, Major Archbold, and Colonel Stanton took copies. Captain Crew, Dr. Bonner, and Mr. Elletson came also, but seeing so many writing, we presently went away with Mr. Hicks and Captain Knight, who had finished their copies. Captain Knight confirms my recollection that the Bill was among the papers, and that no one was there but Major Archbold and Colonel Stanton. The papers were afterwards carried to the House, and when you summoned the members, I set my boy at the door, with orders to let no one enter to touch the papers. After the dissolution, I sent him to carry all the papers home, after which I know of no one who was at my lodging except Mr. Elletson, who went there for some purpose that I do not remember. I am tolerably sure that I saw the Bill in the House, so either someone must have taken it while

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we were walking to and fro before the Speaker took the chair, or Mr. Elletson must have taken it from my lodging, for presently when I went home on purpose to look for it, it was gone. The reason why there is no entry of anything done in consequence of your last message is, that as soon as I had done reading your message, the gentlemen rose from their seats and began a confused controversy, most of them speaking at once, and though the Speaker ordered them to their seats and threatened to adjourn if they did not resume them, no one minded it. He therefore left the chair, and there being no result of any kind I could make no entry. They would not have let pass any entry that said they were in confusion, for they have always ordered such entries out, as has happened several times in this Assembly. I was ordered to omit the words *nemine contradicente* as to the vote of the Poll Bill. *Copy. Added below:* The foregoing letter from Charles Boucher, the Clerk of Assembly, differs somewhat from what he said to me. He told me that he verily believed Elletson had the Bill, and that is the opinion of most others. *The whole.* 2½ *pp. Endorsed.* Recd. 31 Jan. 86-7. [*Col. Papers, Vol. LVIII., No.* 91.]

Oct. 28. Bermuda. **949.** Governor Richard Cony to Deputy-Governor Sir James Russell. I have received yours by Captain St. Loe. Sharpe, his men, and his ship, are all on their way to you to be tried; what the issue may be I know not. I beg, however, that Sharpe, Mr. Abney, and Mr. Valley may not suffer in person, they being my material witnesses for the King, whose depositions I have long since sent home. What may be alleged against Sharpe abroad I know not, but during his detention here he has shewn himself a most real, honest, loyal subject, and an extraordinary instrument in preserving the peace and suppressing mutinies and riots, and I have reported this to the King. *Signed*, Richard Cony. *Copy.* 1 *p. Endorsed.* Recd. from Sir Ja. Russell, 18 March 1686-7. [*Col. Papers, Vol. LVIII., No.* 92.]

Oct. 28. **950.** Duplicate of foregoing. [*Col. Papers, Vol. LVIII., No.* 92A.]

Oct. 28. **951.** Minutes of Council of New York. The auditors presented their report on Captain Santen's accounts. The former asked him several times if he had ever issued out orders or warrants relating to the King's revenue, but Mr. Santen did not answer. Judge Palmer said that there was nothing in Mr. Santen's instructions to justify his issue of warrants to sheriffs. Ordered that Mr. Santen, who promised the same, deliver up to Mr. Thomas Coker the monies due to the King from 25 March last. Mr. Gabriel Minvielle's granted letters of administration, which were allowed. Petition of Thomas Chambers referred to the magistrates of Esopus. Land-grants. [*Col. Entry Bk., Vol. LXXIII., pp.* 29A, 30A.]

Oct. 28. New York. **952.** Grant of Crown lands by Governor Dongan to Major Thomas Chambers (*pp.* 26-32), John Joost (*pp.* 33-35), Wyntie Alberts (*pp.* 35-40), William Nicolls (*pp.* 40-42), Garrett Gilbertson (*pp.* 42-45), and Henry Pawling (*pp.* 45-50). [*Col. Entry Bk., Vol. LXXIII., pp.* 26-50.]

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Oct. 29. **953.** Warrant of the Proprietors of Carolina for the grant of twelve thousand acres to Mons. John d'Arsens, Seigneur of Wernhaut. *Signed*, Craven, Albemarle, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 99.]

Oct. 30. **954.** Minutes of Council of New York. The farm of the excise granted to Henry Pawling for 110*l.* a year. Order, on the petition of Christopher Billop, for a patent for the settlement of a ferry upon the south-west end of Staten Island. Mr. Santen was informed of the farm of the Excise. It appeared also that Peter de la Roy was continued in the Custom House, contrary to the Order in Council. [*Col. Entry Bk., Vol. LXXIII., pp.* 31A, 32A.]

Oct. 31. Whitehall. **955.** Instructions to Sir Robert Robinson, as Governor of Bermuda. He is to propose to the Assembly a duty on tobacco, but in such manner that the Crown may lessen it if necessary, the settlement of quit-rents, laws for maintaining the quality of tobacco, the repair of the public buildings at the country's expense, an enactment establishing the holding of two Assizes a year, and the securing of merchants' debts. One-third of the taxes are to be set apart for payment of the late Company's debts, provided it quit-claim all pretensions in the Colony. He is to report on Crown lands and whale-fishery. The old allowance of land and slaves is to be continued to public officers. All laws are to be made indefinite in time, and the laws made by the Company to remain in force till new laws be passed. No minister to be appointed without a certificate from the Bishop of London, who shall hold ecclesiastical jurisdiction. All ships are to load and unload at Castle Harbour, St. George's, and none are to ship tobacco till the magazine ship be fully laden. A law to be passed restraining the severity of masters. The complaint of James Smailes to be examined. As Governor, he is to have twelve shares of land, profits of the whale fishery, and 240*l.* per annum. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. XVIII., pp.* 27-61.]

Oct. 31. **956.** Warrant for a great seal for Bermuda. *Countersigned*, [*Col. Entry Bk., Vol. XVIII., pp.* 73, 74.]

Oct. 31. **957.** Additional instructions to Sir Edmund Andros respecting the enforcement of the Acts of Trade and Navigation. [*Col. Entry Bk., Vol. LXI., pp.* 330-332.]

Oct. **958.** Draft warrant for preparation of a Bill to the Duke of Albemarle, empowering him to pardon pirates, &c., in America. *Dated* October, with a blank for the day. 1 *p. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 93.]

[Oct.] **959.** Memorial of the Duke of Albemarle for powers to pardon pirates, &c., in America. *Endorsed.* Read 6 Nov. 1686. 1 *p.* [*Col. Papers, Vol. LVIII., No.* 94.]

Nov. 1. **960.** Minutes of Council of New York. Account of debts due to the King's revenue brought in. Order for Mr. Santen to bring in an account of what is due from 25 March to October 6. Petition of James Lorkan read, complaining of Mr. Santen's putting him out of his office. Resolved that he should be restored thereto.

Further business as to recovering arrears of revenue. Captain Palmer brought up his report on his proceedings at Pemaquid. [*Col. Entry Bk., Vol. LXXIII., pp.* 32A-35A.]

Nov. 2. **961.** Warrant of Lords Proprietors of Carolina for the grant of one thousand acres to Maurice Matthews, in consideration of his having purchased the lands from the Indians. *Signed*, Craven, Albemarle, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 100.]

Nov. 2. **962.** Minutes of Council of Barbados. The Lieutenant-Governor laid before Council the complaints of Count de Blenac respecting Captain Temple's proceedings in St. Lucia, and in respect of the ship Francis. The Council advised that Captain Temple should proceed again to St. Lucia, and that the wood already cut there should be brought over. They recorded their opinion that they thought Captain Temple justified in seizing the Francis, and that her crew were kindly treated at Barbados. [*Col. Entry Bk., Vol. XI., pp.* 719-721.]

Nov. 2. **963.** Journal of Assembly of Virginia. Addresses of the burgesses to the Governor, for the removal of the fees asked for passing documents under the seal of the Colony; asking that Colonel Fitzhugh be compelled to refund certain tobaccos levied in Stafford County, and be punished for levying the same, representing likewise that he received salary as a burgess though unduly returned; and praying that the quit-rents may be collected as heretofore in tobacco, at the rate of twopence the pound.

Nov. 3. Message from the burgesses, asking that the laws, if revised, may be submitted to the Assembly for consideration. List of four bills presented, with the amendments proposed by the Council. Message from the Governor. The laws are under revision by a Committee, and will be submitted to the burgesses when completed. Propositions for the establishment of the Militia. 1. That a standing Militia be formed in each county, according to the proportion of titheable men. 2. That every fifteen titheables be assessed to supply one horseman, fully equipped and mounted. 3. That when foot are required, every two titheables, unassessed to supply a horseman, be assessed to find a footman. 4. That the horseman's pay on every day of muster be 1*s.* 6*d.*, or 15 lbs. of tobacco, and the footman's 1*s.*, or 10 lbs. of tobacco, to be paid by the titheables assessed for him. If called upon for more than four days' service, the men to receive the same pay daily; Corporals to receive 30 lbs. of tobacco, Cornets 50 lbs., Lieutenants 60 lbs., Captains 100 lbs., and in the Foot, Sergeants 20 lbs., Ensigns 40 lbs., Lieutenants 50 lbs., Captains 80 lbs. The whole force to be twenty-one troops of Horse of forty-eight men, besides officers, and seventeen companies of Foot.

Nov. 4. Messages from the burgesses. 1. Asking that the proclamation reviving the Act about attorneys' fees may not take place. 2. Asking whether the Bills returned from the Council are to be taken as from the Governors and Council and as assented to, or

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as from the Council only. 3. Asking for the appointment of one or two persons in each county to examine and approve schoolmasters, many schoolmasters being discouraged by the expense of taking a licence. Answer of the Governor and Council. On question 2. These bills are sent from the Council only.

Nov. 5. Four Acts sent up by the burgesses. 1. An Act about runaways. 2. An Act to appoint days for Courts in Accomack. 3. An Act to continue the Act to encourage manufactures. 4. An Act making Maryland debts pleadable. 5. Act touching the tare of tobacco-case. 6. A Bill touching the size of stallions. The first three were agreed to; the last three amended. [*Col. Entry Bk., Vol. LXXXV., pp.* 343-356.]

Nov. 6. **964.** Journal of House of Burgesses of Virginia. Two Bills advanced a stage. [*Col. Entry Book, Vol. LXXXV., p.* 407.]

Nov. 2. Jamaica. **965.** Lieutenant-Governor Molesworth to William Blathwayt. I send the minutes of the House of Assembly. I observe that they have been very careful in their entries to omit and pass by several passages that were not to the credit of the House, though I was informed of them from day to day by the Speaker and other members. The first omission that I pointed out to the clerk was that no mention was made of what I said to the House about presenting their Speaker *pro tempore*, which is entered in the minutes of Council. He answered that the Speaker made no report of it to the House.

Observing no entry of several other matters, particularly of the fact that at the first voting of the Poll Bill, it was passed *nemine contradicente.* I questioned him further about it, and asked for a copy of the Poll Bill, which, I already understood, had been stolen out of the House, apparently by Elletson, though it cannot be proved against him. Hereupon the clerk wrote me a letter, of which I send a copy (*see No.* 948), and by which you may see how a combined party that crave the majority of votes can influence things forwards and backwards at pleasure, and how little argument and reason can prevail against them. This was my reason for dissolving them. Those who threw out that Bill do all they can to support their credit with the people for it, but without success. Their lies and inventions are soon confuted, and the disgrace returns double upon them.

The volunteer parties mentioned in my former letter have done very much as I expected. One of them saw no negroes; it merely marched to the place of rendezvous and back again. The other, though they were abroad several days, living at the expense of the poor people, continued their march into the woods but three days, and had it not been for some of the most ordinary men among them would have returned without seeing the negroes, though they had just come upon certain signs of their being near them, viz., the springes which the negroes had set to catch hogs. Then, after a pause, three or four men went forward, and after advancing two or three miles, discovered the place where the negroes were. One of them then returned to the party, which was commanded by Clarke,

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Archbold having retired to a house by the way on the day before as unable to march any further. Clarke's party advanced to the men who had made the discovery, and it was then found that the place where the negroes lay was inaccessible. It was therefore proposed to divide the party, placing the major part at the foot of the hill on the other side where the negroes would come down, it being urged that a very few men would suffice to move them. Clarke, however, thought his party too small to be divided, and advanced with the whole of it. The negroes discovered them, fired upon them, and fled down on the very side where the divided party should have been posted to meet them. They were hardly seen except by two or three of Clarke's men. Clarke then marched his people away to the house of an ensign in those parts, who took their horses and left them to shift for themselves, without taking any care how they should get home again, though some of them had fifty or sixty miles to travel. This caused much complaint. I have told this story in detail, since the members of the confederacy greatly magnify this piece of service, boasting that they had saved the country over 4,000*l*. by discovering that the negroes were but few, and that the inhabitants were under no apprehension in respect of them. They insinuated, also, that the petition to the Governor and Parliament was a feigned thing, raised only to charge the country with unnecessary expense. The volunteers of the party have disproved this by giving the account above-written under their hands. They added that they found fifteen huts in the place abandoned by the negroes. The parish of St. George's also is ready to justify its petition, proving that the negroes are generally in two or three parties, and that they have three provision-pounds apart from each other, which the parties did not advance far enough to discover. It says, too, that Archbold told the people that the Governor demanded 7,000*l*. from the Assembly for suppressing the negroes, whereof a good sum would come to their share, and afterwards encouraged a party of men to go out and pursue the negroes, telling them that they would be paid. When asked by others how they were to be paid, they answered that Archbold had told them there was an Act of Parliament for it. All these falsehoods the parish of St. George's can prove. That parish under the Poll Bill would not be taxed above 6*l*. or 8*l*. at the most, whereas that party alone cost them over 20*l*. in meat and drink, and did no more good than amounts to the disturbing of a wasp's nest. On the other hand, the six or eight parties that I had designed to send out would have surrounded the negroes and finished the business. As it was, the party that disturbed them burnt their houses, so that we shall not know henceforth where to find them. Still, though I foresaw what was to be expected from the volunteers, I am glad that I accepted their offer, since it serves for my better justification. I enclose copy of the examination of one French, late overseer to Mr. Elletson, who having had the opportunity of reading one of Elletson's letters to Charles Morgan in England, and having acquainted some of his friends therewith, was advised to come and declare the same before me. You will find my judgment of that

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worthy patriot confirmed thereby. Pray do not trouble the Lords with it, but keep it by you till you think it time to produce it (*see No.* 940). I omitted to tell you that I had restored Elletson to his practice, to prevent the Lords from being troubled by his long letters, and I am not a little concerned to find myself compelled to write at such length to repel the malicious insinuations which I knew his faction to be capable of making against me.

Captain Talbot has seized a logwood-ship from the Bay, on pretence that she is an unfree ship. The truth of the case is this. The ship arrived here from Cadiz, with only salt aboard her, and was condemned in the Admiralty Court, the seamen having libelled against the master for wages. She was then brought up by some merchants, in order to make her free, according to a practice recognised for many years, but possibly not strictly legal. The case is hard against the merchants, and is likely to bring several others into the same difficulty. I advised a compromise, but without success, and then upon Captain Talbot's request ordered process against the ship and goods. The Judge-Admiral, however, required stipulation, which Captain Talbot was unwilling to make, and complained to me against the Judge's action. I answered that the Judge knew his own business better than I, and must stand or fall by his judgments.

By way of Carthagena we hear that the pirates in the South Seas came before Panama last August with three great ships and eighteen periagos, but only shewed three periagos in sight. The President, hearing that they were no more, put one hundred and forty men on two barcoluengos, and sent them out after them. The pirates allowed them to approach, and surrounded them beyond all possibility of escape. The President, still ignorant of the pirates' numbers, then sent out another bark, with fifty more men. Finally only one bark returned, with seven men in her, the rest having all been killed. The President has sent to Lima for assistance. The pirates have evidently received an accession of strength, which we guess, from several circumstances, to be the French that were lately on the coast of Guinea. If so, these seas will never be free from robbers unless extraordinary measures be taken. Laurens was wrecked off Carthagena while in pursuit of a small barque, but nevertheless took her with his boat and saved his people. It is uncertain whither he is gone, but certainly my letter offering him terms has never come to his hand. I hear that Coxon is cutting logwood in the Gulf of Campeachy, and has written to his friends that he has given up privateering, and means to earn an honest living. I shall none the less send the proclamation declaring him a pirate to those parts by first opportunity. The Secretary will send you copy of this and of another proclamation calling in the privateers of the South Seas, in order to the confiscation of their estates, which I conceive to be forfeited to the King.

On this subject I must do justice to the care and diligence of Mr. Simon Musgrave, the Attorney-General. The knowledge and intelligence that he has of men who can give information as to privateers make him unusually serviceable to the Governor, and have nipped many designs in the bud. Lately he informed me of a new Governor set up by election in New Providence, a broken-down merchant, who, with six or eight more indebted persons, were gone to shelter themselves in the windwardmost part of the island, in order to slip away by some boat. I hope, however, that my orders will have been in time to stop them. The modeller of their Government is one Pattison, a Whig lawyer, who, meeting with no encouragement here, fell upon this project, declaring that he knew of many discontented, good people in England, who would gladly leave it to settle in some island where they might be quiet and easy. One of the rules excludes all Jews, Quakers, and Roman Catholics. This Pattison, together with one Bridges, a conventicle preacher, and a whole sloop-load of passengers, left the Island a few days since with tickets, as if bound for Providence, where others will join them, under colour of cutting braziletto. This Bridges lived here in very good esteem with his congregation, but having married has lost his interest with the sisterhood who were his main supporters. His consequent discouragement seems to be the occasion of his joining with his father-in-law, Pattison, in the new design. I shall learn more of it when I have secured the Governor. Its result could have been only to make the people a prey to the Spaniards or a nursery of pirates. One Courtney, a South Sea pirate, will be tried at the next Grand Court. One Daws, another South Sea-man, was tried and convicted. It appeared, however, at his trial that he was not aware of the design when he embarked, and opposed it so strongly that his mates put him ashore on an island to starve, from which he was only saved by another privateer. I have reprieved him, and think of pardoning him, on condition of appearing to give evidence against pirates when required.

You will see by the Minutes of Council why the new marshal was not admitted to his office, it being thought best to continue the old one until next Court. I have examined Colonel Byndloss's charges against Colonel Beeston and others, summoning the parties to attend before the Council and Colonel Byndloss to be there also. But he had no proof ready and asked for unlimited time to procure it. As I understand the matter, he took his charges from common rumour, which he cannot make out by any evidence. He says, however, that he has a letter referring to the interloping ship which he means to send home by this ship. What may be made out against Beeston and Waterhouse I cannot yet foresee, but Byndloss is so far right, that there was a ship which landed negroes on the north coast, which were consigned to Barry and Hicks; but Barry refused to have anything to do with the matter, and intends to sue Byndloss for scandal. [*Col. Entry Bk., Vol. XXXI., pp.* 119-219.]

Nov. 2. **966.** Extract from the foregoing letter, relating to Captain Talbot's seizure of a logwood-ship. *Copy.* 2½ *pp. Endorsed.* Read 13 April 87. [*Col. Papers, Vol. LXVIII., No.* 95, *and Col. Entry Bk., Vol. XXXII., p.* 1.]

Nov. 2. **967.** Minutes of Council of Maryland. Colonel William Stevens produced a report of the proceedings of the Commission

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for ascertaining the Indians' lands at Pocomoke. Petition of James Round against the Indians for killing and stealing his hogs.

Nov. 3. Several Indians from Pocomoke appeared, and said that they were not satisfied with the boundaries laid down for them by Colonel Stevens. [*Col. Entry Bk., Vol. LIV., pp.* 65-71.]

Nov. 4.
Arnoniogre. **968.** Father Lamberville to Jacques Brugas. I have been here alone since 29 August, with not a little trouble, in particular for having suffered two adults to die without baptism, men who were quite disposed to receive it, to say nothing of others. *Instantia quotidiana.* I did not think that my brother would have been so long on his way, and I doubt if he was as much counted there at his mission at Cumquia. I wrote all that I thought should be written. My friend (*cette amie*), who is called N., has begged me to tell you that he (*qu'il*) has still La Miette's gun, which the Indians call *ganniaton*, and that he is keeping it to give it back to him when he sees him again, also that he has stowed away carefully the one he gave him in exchange, to give it back to him. If you know where this La Miette is, please let him know what I have just written. He was stopped by the Onnontaguez, on his way to the Flemings. You will have heard all my news. All the Onnontaguez are on the warpath on this side of Cherermons, divided into two bands, one of fifty, which will shortly return, the other of two hundred, with fifty of other tribes. The Sonnonteranus wished me to join with them, saying that they wanted to fight the Onnontatés, Ennicaragi, and French, for they are always thinking that there is hostility between them. The second army return this same month of September to the Ounicanicks Country, from which they say they have carried off five hundred people. They lost two of their own number killed when they carried them off, and twenty-seven when the Touloues and the Illinois caught them There is no hope of peace among the nations on that side. The Sonnonteranu will go there in spring or winter, with all their force, to deliver the Nujanicks.

Kolar spoke to the Iroquois this summer. He said, (1) Why did you go to the fort to treat ? (2) Why did you kill the Hurons at Temikariagi? (3) My nephews are going to the Tannontatés; let two of each Iroquois nation accompany them. (4) I am recalling the Christians from the Sault. (5) I will give two black dresses to all the Iroquois nations if those who are at Onnontagué will return. (6) Pannontis is approaching your quarters. Let me know when he comes, I will go to him and ask what he wants. We will see first what he is about, but do not attack or kill him. Twenty Flemish canoes recently passed by Jalkonshiage, on their way to the Hurons, loaded principally with brandy. Zamiuz, Karistatsia his brother, and Onsugiron went with them, but only as middlemen, not taking two of every nation, as Kolar said. That is why I think that Kolar has heard of it. There are still thirty canoes to leave the same place next spring for the Outaouacs. Six Frenchmen joined the Flemings two months since, four in one party and two in another, that the passage to Chambly may not be blocked like the passage to Onontagué here One André

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Fanaverres with two more is gone to seek out the Kekerannoutonons, who, I expect, are the Nippissing Indians, to tempt them to come and live with the Iroquois. We ought to make use of Archinnara Onnecher, who was married in the country. If my brother does not return this winter, I do not know if I shall be here in the spring, for I am not sure if it be not better [*Here follow several lines written in Latin, but which, being misunderstood and miscopied by the copyist, are unintelligible. The purport seems to be that the writer had heard that English missionaries are coming to spread Anglican doctrine, and that he dared not write too much lest he should get his friend into trouble.*] 2½ *pp. French. Endorsed.* From a father living among the New York Indians to a father at Canada. Intercepted. *Copy.* [*Col. Papers, Vol. LVIII., No.* 96.]

969. Father de Lamberville to Antonie L'Epinard. Dumas's return gives me the opportunity for thanking you for your good offices when things would have seemed in desperate confusion. My brother, who was in Canada, has brought back nothing but good, finding the French without the least thought or inclination for war. This makes me think that God will give us peace. Had I been obliged to withdraw from hence it would have given me great pleasure to have seen you; and I shall enjoy this pleasure when God wills. If however I can be of service make use of me. *Signed,* Jacq. de Lamberville, Jesuite. *French. Copy.* ½ *p.* [*Col. Papers, Vol. LVIII., No.* 97.]

Nov. 5. **970.** Minutes of Council of Maryland. Mr. Patrick Mein produced his Commission as Surveyor General of the King's Customs in America, dated 18 November, 1685, which was read together with the King's letter in his favour of the same date, and a letter from the Commissioners of Customs of 7 December, 1685, to the same purport. The Council assured Mr. Mein of their assistance, who answered that he had satisfied himself that the hands of the government were clear in respect of the murder of Mr. Rousby, and had reported as much to the King. He then asked for the usual writ of assistance from the Council, and for the depositions in the cases of Loder and Captain Crofts. [*Col. Entry Book, Vol. LIV., pp.* 72-75.]

Nov. 5. Jamaica. **971.** Lieutenant-Governor Molesworth to Lords of Trade and Plantations. It is a great satisfaction to learn of the King's approval of the establishment of the negro trade with the Spanish. The trade has been much impaired by the South Sea pirates, who hinder the bringing down of the money to Porto Bello, so much so that it has been wholly carried on in credit, the merchants and others here having by my example and encouragement advanced the necessary sums. As soon as the Assiento is confirmed to one or other of the parties that now dispute it, the trade will doubtless increase greatly. In the last Assembly there was a party made of the necessitous and discontented, who did their best to kill it by laying a duty on imported negroes, which I would not permit. They therefore represent me as too partial to the trade. It has occurred to me that to obtain a perfect rent-roll of the King's quit

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rents, the Receiver-General should be empowered to administer an oath to the tenants. Please give me your views. *Holograph. Signed,* Hder. Molesworth. 2 *pp.* [*Col. Papers, Vol. LVIII., No.* 98.]

Nov. 5. **972.** Duplicate of foregoing. Read at the committee, 10 March 1686-7. [*Col. Papers, Vol. LVIII., No.* 99.]

Nov. 5. **973.** "Memorandum from my Lord President." The Duke of Albemarle continuing to apply for half the salary and half the perquisites of the Governor of Jamaica from the death of Sir Philip Howard, the King is pleased to allow the half salary but not half the perquisites, for the following reasons. 1. The King never promised more than half the salary. 2. The Lieutenant- Governor, who has had all the expense of the government, has probably kept no account of the perquisites, or has spent them all in the King's service. 3. The instructions as to half salary suppose two Governors, one absent, and the other present, by which the Lieutenant-Governor is less exposed to expensive living, whereas at present Colonel Molesworth is sole Governor. 4. The Lieutenant-Governor will have neither perquisites nor salary on the arrival of the Governor in Chief, and is therefore now equitably entitled to half the perquisites at present. 1 *p. Endorsed as headed.* [*Col. Papers, Vol. LVIII., No.* 100, and *Col. Entry Book, Vol. XXXI., pp.* 247-249.]

Nov. 6. **974.** Journal of Lords of Trade and Plantations. The petition and appeal of William Vaughan read. Mr. Mason and Nathaniel Weare, with their counsel, being present, were called in and heard, and the first appeal was dismissed.

Proposal from the Duke of Albemarle read that he have power to pardon pirates. The Lords ordered the law-officers to attend the next Committee to advise on the question.

Sir Nathaniel Johnson's application for a ship of war for his passage or for an allowance in lieu, reserved for the King. A clause inserted in Sir Nathaniel's instructions, empowering him to appoint Lieutenant-Governors to the Islands.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 27-32.]

Nov. 6. Council Chamber. **975.** Lords of Trade and Plantations to the King. We have heard the appeal of William Vaughan from a judgment given against him in New Hampshire, at the suit of Robert Mason, and are of opinion that the judgment should be confirmed. [*Col. Entry Bk., Vol. LXVII., pp.* 156-157.]

[Nov. 6.] **976.** Papers in the appeal of William Vaughan against Robert Mason. Record of an Act of Assembly passed 14 November 1682; copy attested by Richard Waldern, jun., and John Pickering. March 31 1686. $\frac{1}{2}$ *p. Inscribed.* Paper relating to Vaughan's appeal. [*Col. Papers, Vol. LVIII., No.* 101.]

[Nov. 6.] **977.** Attestations of Richard Waldern, sen., Elias Stileman, Richard Waldern, jun., and John Pickering, as to the appointment of Richard Martyn to be Treasurer, and to his rendering of his accounts. Feb. 25, 1686. 1 *p.* *Endorsed.* Evidence about fines and forfeitures. [*Col. Papers, Vol. LVIII., p.* 102.]

[Nov. 6.] **978.** Copy of the accounts rendered by Elias Stileman and Richard Martyn as Treasurers of New Hampshire. 2 *pp.* [*Col. Papers, Vol. LVIII., No.* 103.]

Nov. 6. **979.** Lords of Trade and Plantations to the Lieutenant-Governor and Council of Bermuda. Ordering the transmission of quarterly accounts of proceedings. *Signed,* Jeffreys, Sunderland, Rochester, Craven, Middleton, Albemarle. [*Col. Entry Bk., Vol. XVIII., pp.* 61-64.]

Nov. 6. **980.** The same to Governor Sir Robert Robinson. Heads of enquiry to be answered. (1-4.) General questions as to machinery of legislation and administration. (5-6.) As to militia and fortifications. (7.) As to forests. (8-11.) As to latitude, longitude, and geographical details. (12.) As to exports. (13.) As to saltpetre. (14.) As to population. (15.) Emigration. (16-18.) Vital statistics. (19-20.) Trade and shipping. (21-23.) Obstructions to trade and suggested improvements. (24-25.) As to religion and education. *Signed,* Jeffreys, Sunderland, Rochester, Middleton, Craven, Albemarle. [*Col. Entry Bk., Vol. XVIII., pp.* 64-72.]

Nov. 6. Jamaica. **981.** Henry Egleton to William Blathwayt. I enclose several documents and records. At the Council's rising on the 13th October the Governor reminded them that the next day was the King's birthday, which was duly celebrated. The Governor reviewed the regiment, many of whom were in scarlet, which they had provided expressly for the day. The Governor entertained all the principal gentlemen and officers with a very sumptuous dinner; and in the evening the Governor's lady being waited upon by all the gentlewomen of quality, gave them a very fine treat, and afterwards entertained them at a ball, composed of a suitable number of masqueraders, very curiously habited, and variety of music, all managed with that admirable order as gave great beauty and grace to it. They continued dancing very late, but the streets shone with bonfires to light them home. *Signed,* Henry Egleton. *Holograph.* 2 *pp.* *Endorsed.* Recd. 31 Jan. 86-7. [*Col. Papers, Vol. LVIII., No.* 104.]

Nov. 8. **982.** Minutes of Council of New York. Mr. Santen produced an account of arrears from 3 November 1683, to 25 March 1686, which, being disallowed, he was ordered to bring the balance of all accounts to 6 October 1686. [*Col. Entry Bk., Vol. LXXIII., pp.* 35a, 36a.]

Nov. 8. **983.** Journal of Assembly of Virginia. Answer of the Governor to the Addresses of the burgesses. As to the payment of quit-rents in tobacco, I did not think the question would have been re-opened. The King's proclamation distinctly forbids it. As to the schoolmasters, I am ready to give you all the assistance and shall give orders for te examination of schoolmasters by a member of the Council in each county, to whom I shall supply blank licences under my hand and seal for them to distribute. 1

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annex copy of my 27th instruction. Committee appointed to examine the claims put forward by certain burgesses. Two Acts sent by the burgesses, viz., an Act about Ports, and an Act to restrain the killing of fish at unusual times. On the first the Council replied that until the King's pleasure were known it would be better not to proceed with it; the second was agreed to. An Act to relieve the country of the expense of apprehending and executing criminals was disapproved by the Council.

Nov. 9. Message from the Governor touching Acts repealed by the Assembly but revived by Royal proclamation. A stern rebuke for reversion to attacks on the Royal prerogative. A second message as to the fees demanded for passing instruments under the great seal, equally of rebuke. The burgesses sent up a message as to the claims. [*Col. Entry Bk., Vol. LXXXV., pp.* 356-364, *and pp.* 407-412.]

Nov. 10. **984.** Journal of House of Burgesses of Virginia. Bills advanced a stage. Messages from the Governor of previous day read. [*Col. Entry Bk., Vol. LXXXV., pp.* 412-415.]

Nov. 10. **985.** Minutes of Council of Maryland. The writ of assistance given to Mr. Mein. Order for the issue of new commissions of the peace for Baltimore County. Order for thirty watchcoats to be given to the Indians of the Eastern shore. [*Col. Entry Bk., Vol. LIV., pp.* 75-77.]

Nov. 10. **986.** Petition of several British subjects in Mexico and Los Angeles to the Duke of Albemarle. Setting forth their capture at Triste and the violation of the articles of capitulation by the Spaniards, and praying for redemption from slavery. *Signed by* Maurice Wade and five others on behalf of the whole of the prisoners. *Subscribed,* a nominal list of the prisoners at Los Angeles. fifty-four names. *Copy, certified by* Francis Hickman. *The whole* 4½ *pp. Endorsed.* [*Col. Papers, Vol. LVIII., No.* 105.]

Nov. 11. **987.** Minutes of Council of New York. Mr. Spragge asked that Mr. Isaac Swinton might act as Secretary during his own absence on leave for a year. Mr. Swinton was approved and took the oath as Clerk of the Council. Business of land-grants and patents. The Governor produced Mr. Santen's abstract of the revenue, which was not thought satisfactory. Ordered that all the orders in Council relating to Mr. Santen be read at next Council. [*Col. Entry Bk., Vol. LXXIII., pp.* 36a-39a.]

Nov. 11. New York. **988.** Grant of Crown lands by Governor Dongan to Philip Phillips. [*Col. Entry Bk., Vol. LXXIII., pp.* 50-53.]

Nov. 11. **989.** Record of (1) a deed of purchase of land in Staten Island by John Keay from William and Grace Marvell, (2) deed of transfer of land in Long Island by James Lloyd to Thomas Palmer; (3) entry of observation where the forty-five degrees of latitude strikes the Hudson river; (4) deed of transfer of land in Long Island by Thomas Palmer to James Lloyd. [*Col. Entry Bk., Vol. LXXIV., pp.* 41-52.]

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Nov. 11. **990.** Minutes of Council of New York. Two depositions read against Thomas Jeames, minister of Easthampton, for seditious preaching. Order for his arrest, and for Josias Hubbard and the clerk of Easthampton to be subpœnaed. A like paper against the Government called the "Protest of a Committee of Easthampton" read, also a second libel of the same kind. Order for arrest of the ringleaders. Mr. Henry Pearsall appeared on behalf of the inhabitants of Easthampton, respecting land purchased from Indians. Ordered that the deed be proved, or in default that the land be bought from the Indians for the King. Orders to Major Winthrop and Job Wright respecting their land. A dispute between the minister of Jamaica and his parishioners settled. [*Col. Papers, Vol. LVIII., No.* 106.]

Nov. 11. **991.** Deposition of the principal officers of Bermuda. That Governor Cony, far from disarming the ports, has done all that he could to render them more capable of defence. *Ten signatures. Certified copy.* 1 *p. Endorsed.* Recd. 15 Feb. 86-7. [*Col. Papers, Vol. LIX., No.* 1.]

Nov. 11. **992.** Instructions of Lieutenant-Governor Stede to Captain John Temple, R.N. To convoy ships to St. Lucia, to carry away the wood found cut there, to protect men landed to cut more, and to forbid all foreigners to abide, cut wood, fish, or hunt there. *Copy. Large sheet. Endorsed with a long précis.* Recd. 1 Feb. 1686-7. [*Col. Papers, Vol. LIX., No.* 2.]

Nov. 11. **993.** Journal of Assembly of Virginia. Address of the Burgesses asking for copy of the royal instruction respecting the repeal of Acts by proclamation. On the summons of the Governor the Burgesses attended, when the Governor made them the following speech—I wonder that while our work is progressing so well you have not offered an Act imposing threepence a gallon on liquors, nor made any suggestion as to the settlement of the militia. I understand that if I raise forces for an emergency you will not pay them, so I shall be loth to do so if I must pay them from my own revenue. One thing more: I have the King's orders that the tedious sessions of Assemblies shall be regulated by me.

Nov. 12. Address of the Burgesses asking again for copy of the royal instruction as to repeal of laws by proclamation. The Governor replied that not foreseeing any occasion for it he had left it at home, or would certainly have shown it to them. Message from the Burgesses, arguing the question of asking fees for passing instruments under the great seal, deprecating the imposition of them without consent of the Assembly, and asking that it may be abolished. Answer of the Governor, that the Burgesses know nothing of the matter, and had better get on with their proper business.

Nov. 13. Message of the Council. We find that you, the Burgesses, have reserved the Governor's, Colonel Byrd's and Mr. Jenning's claims for the journey to New York, for further consideration. The

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Governor summoned the Burgesses and gave his assent to eight bills. 1. Act concerning runaways. 2. Acts making debts in Maryland and Carolina pleadable. 3. Act to revise the Act for encouragement of manufacturers. 4. Act repealing Act 17 of 1680. 5. Act to fix days for Courts in Accomack county. 6. Act to regulate the tare of tobacco-hogsheads. 7. Act to enforce Act 107 of 1661-2. 8. Act to improve the breed of horses. Message from the House of Burgesses, that the proposals for settlement of the militia cannot be accepted without laying an insupportable charge on the county. The House conceives existing laws to be sufficient for the safety of the country. [*Col. Entry Bk., Vol. LXXXV., pp.* 365-371 and *pp.* 415-423.]

Nov. 15. **994.** Journal of Assembly of Virginia. Message from the Governor and Council, acknowledging the grant of Colonel Byrd's claim, but still pressing those of Mr. Jennings and others. The Burgesses sent up two bills. 1. A bill to continue the impost on liquors, which was agreed to. 2. A bill touching the certifying of public claims, which was returned with amendment. Message from the Council, criticising the address of the Burgesses on the militia as mistaken, the settlement of the militia being arranged in England, not by the Governor but by Act of Parliament. Three Acts, for repealing the Acts passed 16 April 1684, to continue the impost on liquors and to raise a public levy, agreed to and passed. The Governor caused the King's letters concerning the irregularities of the last meeting of the Assembly to be read and recorded, and dissolved the Assembly. [*Col. Entry Bk., Vol. LXXXV., pp.* 371-373 *and pp.* 423-425.]

Nov. 16. **995.** Journal of Council and Assembly of Nevis. The Governor and Council proposed to the Assembly to consider the proper means of receiving the Duke of Albemarle. The Assembly deferred consideration, saying that the Duke was not expected for some time. [*Col. Entry Bk., Vol. XLVIII., pp.* 124, 125.]

Nov. 16. **996.** Minutes of Council and Assembly of St. Christopher's. Proposed by the Governor and Council. 1. That the gate of the fort on Cleverley hill be finished. 2. That an Act be drawn to remedy defects in the militia. 3. Also an Act for punishment of crimes committed by negroes. 4. Also an Act to confirm the ancient privilege of shipping negroes at various places on the windward side of the island. The Assembly concurred with the last three; and dissented from the first. Committees appointed for drawing the Acts proposed by the Council. The Assembly refused to consent that the Governor's obligation to return 48,000 lbs. of sugar in case the King should not consent to his receiving it, should be cancelled, although the King appeared to have cancelled his order respecting presents to Governors. [*Col. Entry Bk., Vol. XLVIII., p.* 63.]

Nov. 17. Barbados. **997.** Lieutenant-Governor Stede to Lords of Trade and Plantations. Since my last of October 20th (*see No.* 923), the owner and master of the suspicious brigantine at Tobago have, on her arrival at Martinique, made large protests against Captain Temple for damages sustained by the taking of the ships to Barbados, as also for injuries received at St Lucia by his forbidding them to cut timber, and his destruction of their towns and settlements. These protests, with a letter from Count de Blenac, were sent me by express with demand for reparation. Copies of them and of my answer are enclosed. I assured Count de Blenac that I knew of no damage done to any of their people by Captain Temple, so could give them no satisfaction beyond an assurance that I had reported the whole affair to the King. I must observe in regard to these protests that the French have not spared to say anything, true or false, that might make a great noise. Some part of them I know to be untrue, particularly their charge against use of rough and inhuman treatment of the master of the brigantine, and of opprobrious language. On the contrary, I received them with more courtesy than was due to them, ordered them to be despatched as soon as the examination was over, restored all that had been taken from them, and furnished them with provision for the voyage. I knew this was done, and that they owned it before they left Barbados, though, since their arrival at Martinique, it is denied. Four men have not set their mark to the protests, under pretence that they could not write, but really, I believe, from pure conscience, knowing the allegations therein to be false. *Signed*, Edwyn Stede. Recd. 1 Feb. Read 10 Feb. 1686-7. [*Col. Papers, Vol. LIX., No.* 3, *and Col. Entry Bk., Vol. VII., pp.* 400-401.] *Annexed*,

997. I. Extract from the registers of the Civil Court of Martinique. Depositions of several French witnesses as to the proceedings of Captain Temple at St. Lucia. 6½ *very closely written pages. French. Endorsed with a long detailed précis.* Recd. from Colonel Stede. 1 Feb. 1686-7.

997. II. Lieutenant-Governor Stede to Count de Blenac. Captain Temple, of H.M.S. Mary Rose, met with a brigantine under Captain Pons, and suspecting her from the language used by the captain, from having more men than allowed by her commission, and from other suspicious circumstances, to be a pirate, brought her into Barbados. Pons has not wholly cleared himself of these suspicions, yet the charge not having been fully proved, I have discharged him and his company, and have ordered all their goods to be restored to them, which they confess has been done. I have also furnished them with provisions. I must observe that since you prohibit English ships to anchor in French roadsteads you might at least specify which those roadsteads are. You have, I hope, received apprisal of the King of England's orders respecting St. Lucia, Dominica and St. Vincent. I hope that you have before now recalled all Frenchmen from St. Lucia, for I cannot allow them to continue there except on the conditions already specified. *Dated*, September 29 1686. *Copy*, 2½ *pp. Endorsed as the preceding.*

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997. III. Extract from the register of the Civil Court of Martinique. The protest touching the capture of Captain Pons's ship at Tobago. *French. Copy.* $1\frac{1}{4}$ *pp. Endorsed as the preceding.*

997. IV. Count de Blenac to Lieutenant-Governor Stede. It is easy to see by your letter that you seek to justify the action of Captain Temple, though you know as well as I do that it cannot be justified. If you do not punish him I am sure that the King, my master, will make an example of him. He has misexecuted your orders at St. Lucia (Ste Alousie), and far from following your directions has fired on French subjects, pillaged them, and taken their goods away to Barbados for sale. I thought that I had to do with a pirate, and that his credentials were forged, and but for your last letter I should think so still. He has also pillaged the barque François of Martinique, an act from which your letter cannot acquit him. It appears that your orders were not obeyed in Barbados. My passes have never caused difficulty with Mons. Stapleton, and the rest of the English governors; they are in the form agreed on. You wish to know which are the French anchorages. No one has ever asked this before, and they are well enough known. You say you have orders to retake St. Lucia and Dominica. I have orders to hold them. The matter is for our masters to decide. You say you wish to keep the peace between the two nations. Allow me to inform you that Captain Temple's proceedings are not best calculated to do so. As to Tobago, I was present when we took it from the Dutch, and I don't remember that the English took any part in the capture, and you do not explain your claims. The English Governors have always been on good terms with me; it is for you to uphold those good terms. *Dated,* 24 October 1686. *One very closely written page. French. Endorsed as the preceding.*

997. V. Lieutenant-Governor Stede to the Count de Blenac. I have received your letter of 24 October, and am surprised to find so many reflections on my former letter, and on my good treatment of Jean Pons and his crew. They were brought here on the information of good witnesses for threatening and suspicious language. I am not surprised therefore that they make untrue statements. I never used scurrilous nor opprobrious language to them. On the contrary, they were very well treated by me; their goods were restored without embezzlement, and I ordered that they should be supplied with provisions, without which they would have starved. If any English subjects had spoken evil so unjustly of a French Governor I should have chastised them. As to St. Lucia and Tobago, I know my duty and have done it. If Captain Temple has done wrong my justification will avail him little with my King, though in my opinion the many

suspicious circumstances surrounding Captain Pons did justify his action. Considering how these seas are infested with pirates who pretend to hold lawful commissions, I cannot see that I place undue difficulty in the way of your passes. I cannot perceive my error in desiring you to name the French ports. I have lived here fifteen years, so can be no stranger to them, but your new commissions for the confiscation of English ships make me desire greater certainty that I may not disturb the amity of the two nations. I thought that the treaty permitted subjects of both nations to wood and water in each other's ports. We have never denied it to French ships, yet our subjects complain that they are denied any sort of refreshment in French ports. I must therefore again ask you to name the roadsteads that are closed to us. As to Tobago, I have no instructions, but as the Duke of Courland is in amity with my master, I conceive that we may visit the Island without offence. Nor can I understand your claim to exclude the English from St. Vincent, St. Lucia, and Dominica. Complaint has been made of damage sustained by the Francis through her detention at Barbados, though I can obtain no particulars. I have asked that these complaints may be laid before the King of England, for I have no orders to give compensation for damage done by our men-of-war. *Copy.* 2½ *closely written pages. Endorsed as the preceding.*

997. vi. Commission from the Chevalier de St. Laurens to Captain Pons of the Francis. *Dated,* Fort St. Pierre, Martinique, 28 September 1683. *Copy.* 1 *p. Endorsed as the preceding.*

997. vii. Commission from Count de Blenac to Captain Pons. This includes an order to allow no foreign ships in French anchorages. *Dated,* Martinique, 26 July 1686. *Endorsed as the preceding.* [*Col. Papers, Vol. LIX., No.* 31.-vii.]

Nov. 19. **998.** Mons. de Seignelay to [Lord Sunderland?]. I have just received letters that an English of fifty-four guns has anchored at St. Lucia [Ste Alouzie], ordered the French to leave it, and apprised M. de Blenac that this was done by order of the Governor of Barbados. I have laid this extraordinay proceeding before the King, who is the more surprised at it since the Treaty of Neutrality between the two nations in America is but a year old. The King is convinced that both the Governor and the captain have acted without orders. As to the property of St. Lucia, it belongs incontestably to France, as is proved by several deeds, notably by a deed of sale made by the French West India Company to the Sieur du Parquet of 27 September 1650. This was confirmed by letters patent in the following August; du Parquet took formal possession, built a fort and installed a governor, who remained there until 23 June 1664. Then some English made themselves masters of it, but with such full consciousness that they had no right, that they sent deputies to Martinique to say that the affair was an accident and abandoned the Island. St. Lucia was

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confirmed to the possession of France by the twelfth article of the Treaty of Breda, by which the King of England bound himself to restore to France all places possessed by her before 1 January 1665, that had been captured by the English. Even therefore if the English possessed it at the time of the treaty they were bound to restore it. I am therefore sure that the King will disown the captain's action, &c. *Extract. French.* 2½ *pp. Endorsed.* Recd. 22 Nov. 1686. *Enclosed.*

998. I. Copy of the capitulation of St. Lucia at the time of its capture in 1664. *Copy.* 1½ *pp. Endorsed.* [*Col. Papers, Vol. LIX., Nos.* 4, 4I., *and (letter only) Col. Entry Bk., Vol. VII., pp.* 392-393.]

Nov. 19. Whitehall. **999.** Order of the King in Council. That the judgment of the Court in New Hampshire, against which William Vaughan appealed, be ratified and confirmed (*see No.* 975). *Signed,* Wm. Bridgeman. [*Col. Entry Bk., Vol. LXVII., pp.* 158, 159.]

Nov. 19. Nov. 20. **1,000.** Minutes of Council of Maryland. Nehemiah Blakiston sworn in as King's collector, and George Layfield as comptroller and surveyor of the King's Customs. Order for appointment of a Councillor or eminent inhabitant in each county to direct and superintend the officers for towns. Instructions to these gentlemen. Order renewing Colonel Stevens's commission to grant land warrants. [*Col. Entry Bk., Vol. LIV., pp.* 78-84.]

Nov. 20. **1,001.** Journal of Lords of Trade and Plantations. The law officers attended on the Duke of Albemarle's proposal to pardon pirates, and were ordered to draw up a proclamation offering pardon to all pirates who come in within a certain time. The Lord President communicated the King's decision as to the question of the Duke's half salary and perquisites, with the King's reasons for the same (*see No.* 973). The Duke moved his proposal as to the restoration of Sir Henry Morgan and Robert Byndloss. The Lords replied that he would be directed to report on the question from Jamaica.

Colonel Stede's letter of 18 September read. The Lords directed a circular to be despatched to all the Governors, with copies of the Treaty of Neutrality, directing the same to be published. [*Col. Entry Bk., Vol. CIX., pp.* 32-37.]

[Nov. 20.] **1,002.** Petition of Robert Mason to Lords of Trade and Plantations. You have been pleased to affirm the judgment in the appeal of William Vaughan. I have been put to great cost for my voyage from New Hampshire and my stay in England for this appeal, besides damages to the amount of £1,000, through being kept out of possession of a great part of New Hampshire by a great number who looked for the success of the appeal. The appellant having given security to abide by the judgment, I beg for costs and damages. *Memo.*—Nathaniel Weare has been allowed, as his coming to England, £100 as a gift, £6 a month from the day he left New Hampshire to the day of his return, 2s. a day to hire a man to do his work in New Hampshire, and his passage both to and

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from England. 1 *p.* *Endorsed.* Recd. 20 Nov. 86. Presented 8 Dec. 86. *Annexed.*

1,002. I. Short statement of grounds wherein damages are claimed. *Scrap.* [*Col. Papers, Vol. LIX., Nos.* 5, 5I.]

Nov. 21. Whitehall. **1,003.** Order of the King in Council. On the petition of Richard Stafford and four more prisoners from Bermuda, ordered that they be heard by the Lords of Trade and Plantations on the first Committee, and meanwhile be discharged on giving security to appear. *Signed,* Wm. Bridgeman. ½ *p.* *Endorsed.* Recd. 22 Nov. 86. [*Col. Papers, Vol. LIX., No.* 6, *and Col. Entry Bk., Vol. XVIII., p.* 90.]

[Nov. 21.] **1,004.** Petition of Richard Stafford, William Keele, George Bascom, and Joseph Hinson to Lords of Trade and Plantations. Owing to the barbarous usage received at sea, and the bad weather here in England, we are reduced to great indisposition (whereof William Righton, one of our company, is dead), and have no hope of recovery but in a speedy return to Bermuda. A ship is sailing thither shortly, if we could be discharged, as we doubt not that we shall be when we are admitted to a hearing. *Signed* by the four petitioners. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LIX., No.* 7.]

Nov. 20. **1,005.** Minutes of Council of New York. Examination of the disputed claims to the land at Southampton. Order for the Indians to come up in ten days in order to purchase the land.

Nov. 21. The Governor's instruction read, with the clause as to ships entering the Hudson's river. Order for bringing up the ships now lying at Amboy to New York, or, if the master refuse, for seizure of the ships.

Nov. 22. Isaac Swinton, Clerk of Council, sworn to secrecy. Mr. West's charge against Captain Lucas Santen, consisting of thirty-two articles, read. Order for the Mayor to prohibit the keeping of ordinaries in the city and county without a licence. [*Col. Papers, Vol. LVIII., No.* 106.]

Nov. 21. **1,006.** Abstract of the papers relating to St. Lucia. A digest of Lieutenant-Governor Stede's despatches and enclosures of September 18 and October 20 (*see Nos.* 871, 923). 2½ *pp.* *Endorsed.* 21 Nov. 1686. [*Col. Papers, Vol. LIX., No.* 8.]

[Nov. 22.] **1,007.** The Duke of Courland's agent to the King. The Duke of Courland's recollection of the goodness of your ancestors to his house encourages him to hope for the same protection from you for his settlement at Tobago. The late King showed great zeal for the success of this colony, and your Majesty's will will suffice to allow a few English families, who are only fit to till the soil, to contract with the Duke for their settlement on the Island. If you will grant this permission, pray also give orders to the Governor of Barbados to help them to all necessaries at a reasonable price. *Signed,* de Blumberg. Brought to the Committee by the Lord President. 22 November 1686. [*Col. Entry Bk., Vol. VII., pp.* 383-384.]

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Nov. 23.
Barbados.
1,008. Lieutenant-Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the Council's transactions and of imports. *Signed*, Edwyn Stede, Robert Davers, John Gibbs, John Hothersall, John Hallett, Henry Quintyne, Thomas Walrond. [*Col. Entry Bk., Vol. VII., pp.* 407-408.]

Nov. 23.
1,009. Minutes of Council of Barbados. The Assembly attending, the Governor reminded them of several expiring laws that required renewal, and several payments due for repair of the fortifications. He acquainted them also that the King had given the country forty great guns, which were arrived and would be mounted as soon as the timber arrived from St. Lucia. The Speaker begged the Lieutenant-Governor to return to the King their thanks, and thanked the Lieutenant-Governor also for his care. The business of Sir Timothy Thornhill and Mr. Harwood (*see post No.* 1,017). Order for various payments for repairs of the forts, to gunners, and for compensation for executed negroes. Order for rebates of import duty to various persons.

Nov. 24.
The petition of Sir Timothy Thornhill, to be tried by special commission, refused. The Assembly asked to be adjourned till Monday, in order to finish the Bill of Excise. [*Col. Entry Bk., Vol. XI., pp.* 721-734.]

Nov. 24.
1,010. Warrant of the Governor of Jamaica to Captains Richard Cubitt and Conway to apprehend John Coxon, the pirate, said to be logwood-cutting in the Bay of Campeachy. *Copy.* $1\frac{1}{4}$ *pp. Endorsed.* Recd. 10 March 86-7. [*Col. Papers, Vol. LIX., No.* 9.]

Nov.
1,011. William Blathwayt to Edward Cranfield, Robert Mason and Nathaniel Weare. The appeal of William Vaughan will be heard on the 27th inst. *Draft.* 1 *p.* [*Col. Papers, Vol. LIX., No.* 10.]

Nov. 25.
1,012. Minutes of Council of New York. The charges against Lucas Santen read, and a copy given to him, with orders to give an answer before Monday next. Order for issue of commissions to John Wallwin as Sheriff of Cornwall county, and Nicholas Manning as collector for the same county, also for military commissions to be made out for Cornwall to such persons as Captain Palmer shall select. Captain Manning to execute Captain Palmer's orders, prohibiting ships from entering the Kennebec without paying duty. Mutiny of the militia in Richmond county. Major Brockholes and Major Baxter to go to Staten Island and condemn the mutineers to fine or corporal punishment at their discretion. Petitions of Abraham Corbet and Mr. Jeames read. [*Col. Papers, Vol. LVIII., No.* 106.]

Nov. 25.
New York.
1,013. Grants of Crown lands by Governor Dongan to the inhabitants of Newtown (*pp.* 53-61), Elias Doughty (*pp.* 61-63), Thomas Hicks (*pp.* 63-65), Richard Cornwall (*pp.* 66-67). [*Col. Entry Bk., Vol. LXXIII., pp.* 53-67.]

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Nov. 25.
New York.
1,014. The Secretary of New York to the Earl of Sunderland. It will be very difficult for this Government to subsist unless Connecticut and East and West Jersey be annexed. This place is the centre of the King's territory in these parts, and is therefore by situation the fittest to have them joined to it. The proprietors of East Jersey have already disposed (as I hear) of more land than there is in that province, and I am sure they must be at great expense to support it, and it is very inconvenient to the King's interest here, this side of the river paying customs, and the other being free. The goods that come here cannot be consumed there, but are "stolen" into this government to the great prejudice alike of the King and the merchants. The Lord Nial Campbell is Governor of New Jersey, and one Mr. Hamilton, who has been sent by the proprietors to report in the colony, has been convinced by me how disadvantageous it is to the proprietors to keep it. I have promised Lord Nial Campbell to write to that effect, and to propose the exchange of Pemaquid for East Jersey, and I believe they will petition either for an exchange or that the King will take over the plantation. *Signature lost.* J[ohn] S[pragg]. *Holograph.* 1 *p.* [*Col. Papers, Vol. LIX., No.* 11.]

Nov. 25.
Custom House.
1,015. Commissioners of Customs to Lords of Trade and Plantations. We have considered the draft instructions to Sir Robert Robinson, Governor of Bermuda, and think that the enclosed clause should be added. *Signed,* D. North, Ch. Cheyne, Jo. Werden, N. Butler, J. Buckworth, W. Dickinson, Sam. Clarke. 1 *p. Endorsed. Annexed.*

1,015. I. Draft instructions to the Governor of Bermuda. To require all masters of ships on arrival to produce their certificates of bonds, and see that the naval officers and collectors observe proper care in granting certificates, and that those certificates which are not attested by the Commissioners of Customs in England be not accepted. *Endorsed.* [*Col. Papers, Vol. LIX., Nos.* 12, 12I., *and Col. Entry Bk., Vol. XVIII., pp.* 75-76, *and* 86-89.]

Nov. 26.
Treasury Chambers.
1,016. Henry Guy to William Blathwayt. Forwarding report of the Commissioners of Customs (*see preceding abstract*). [*Col Papers, Vol. LIX., No.* 13, *and Col. Entry Bk., Vol. XVIII., p.* 75.]

Nov. 26.
Barbados.
1,017. Lieutenant-Governor Stede to Lords of Trade and Plantations. In my letter of September 18 (*see No.* 871), I wrote to you of the objections of the Council to the admission of Mr. Harwood. I could not join with them in their addresses to the King on the subject, and enjoined that all animosity on the subject must cease in the Council until the King's pleasure on their address for Mr. Harwood's removal were known. This order was observed until a few days ago, when false suggestions by pernicious whisperers and mischievous tale-bearers and backbiters raised some of the Council to a height against Mr. Harwood. The peace has not been broken, but passion has transported some people so much

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beyond reason as to utter such unbecoming speeches in vindication of their own and their ancestors' reputation as to draw both into suspicion and question. This is shown by Mr. Harwood's enclosed information against Sir Timothy, which he brought to me. I advised with the Council thereupon, who agreed that we could not do less than commit Sir Timothy to the custody of the Provost Marshal, and suspend him from the Council and all his offices, both civil and military, until the King's pleasure should be known. I beg you therefore to lay the matter before the King for his orders, pending the arrival of which I conceive that Sir Timothy cannot be admitted to a trial, though he presses me for it, and petitions for a special commission. For I suppose that the meaning of the instruction, that the suspension of a Councillor must always be reported to you, together with the charge, the evidence against him, and his answer, is that such Councillor shall not be tried until the King's pleasure be known. His petition for a special commission therefore remains unanswered, though at request of the Council I have accepted bail of £4,000 for him. *Signed,* Edwyn Stede. 1½ *pp.* *Endorsed.* Recd. 1 Feb. Read 10 Feb. 86-7. *Enclosed.*

1,017. I. Depositions of John Harwood. Riding into Bridgetown on 12 October 1686, I met Sir Timothy Thornhill, who asked me to alight and speak to him, but I being busy we agreed to meet on the green before Government House. There he called me aside and told me that he had heard that I had called his father a rogue and a son of a whore, that he would not bear it, and that but for my gray hairs he would be revenged on me there and then. I told him that I had used no such language as to his father, but owned that I had called him traitor, since he deserted to Sir George Ayscough with the best part of his troop of horse. Sir Timothy asked me if my father was not a traitor too, and I answered that he was in Lord Carnarvon's regiment, and was killed fighting for his prince at the first battle of Newbury, that I was taken prisoner there myself and sent to Barbados by the Parliament. Sir Timothy said that all who fought or pretended to fight for the King in those days were traitors and that he owned that his father deserted to Sir George Ayscough at Oistins. I answered that I knew it well, for I was in the troop that took his father and him that is now Colonel Fryer at Oistins after his desertion. Sir Timothy rejoined that all that fought for the Parliament then were good subjects, and those that fought for the King were rogues and traitors, since those that ruled at Whitehall, whoever they might be, governed all the King's dominions and deserved the obediences. He then beckoned John Duboyce to him, and told him what had passed. Sworn before Edwyn Stede, 15 November 1686. *Attested copy.* 1 *p.* *Endorsed.* Recd. 1 Feb. 1686-7. *This and the document next abstracted are entered in Col, Entry Bk., Vol. XI., pp.* 715-718.

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1,017. II. Deposition of John Duboyce. I was called by Sir Timothy Thornhill to hear Mr. Harwood deny that he had ever called Sir Timothy's father rogue and son of a whore, which he did, admitting however that he called him traitor. Sir Timothy asked Mr. Harwood to abuse his father's ashes no more, or he would take private satisfaction for such affronts. Sworn before before Edwyn Stede. 19 November 1686. *Certified copy.* 2 *pp.* *Endorsed as the preceding.*

1,017. III. Extract from the minutes of Council of Barbados, 23 November 1686. Mr. Harwood's deposition against Sir Timothy Thornhill laid before the Council. Sir Timothy denied the truth thereof, saying that he and Mr. Harwood had some difference, and that Harwood had enlarged his information out of malice to him. Both parties having withdrawn, the Council resolved that Sir Timothy be suspended from the Council and all public offices, and be committed to the custody of the Provost Marshal. Sir Timothy being apprised hereof, asked to be admitted to bail, and his recognisances in £4,000 was taken for his appearance at the next Grand Sessions, four members of Council becoming his sureties. 24 *November.* Sir Timothy Thornhill presented a petition asking for a special court to be held to try him for the matters laid to his charge, but the Council made no order thereupon. *Certified copy.* 3 *pp.* *Endorsed as the preceding.*

1,017. IV. Copy of Sir Timothy Thornhill's recognisance to appear at the next Grand Sessions. Taken. 23 November 1686. *Certified copy.* *Endorsed as the preceding.*

1,017. V. The petition of Sir Timothy Thornhill for a special court for his trial. *Certified copy.* 1 *p.* *Endorsed as the preceding.* [*Col. Papers, Vol. LIX., Nos.* 14, 14I.-V., *and (despatch and list of enclosures only) Col. Entry Bk., Vol. VII., pp.* 402-404.]

Nov. 26. St. Christophus. **1,018.** Deputy Governor Hill to Lords of Trade and Plantations. I send the minutes of Council and Assembly. The expectation of Sir William Stapleton's return is the reason for the delay. *Signed,* Tho. Hill. *Holograph.* 1 *p.* *Endorsed.* Recd. 2 March 86-7. [*Col. Papers, Vol. LIX., No.* 15, *and Col. Entry Bk., Vol. XLVII., p.* 248.]

Nov. 28. **1,019.** Additional Royal instructions to Governor Sir Robert Robinson. For the enforcement of the Acts of Trade and Navigation. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XVIII., pp.* 76-89.]

Nov. 28. **1,020.** Instructions to Sir Nathaniel Johnson, Governor in Chief of the Leeward Islands. These include instructions for the formation of a Court of Exchequer, for asserting the ecclesiastical jurisdiction of the Bishop of London, for the restitution of Tortola, for passing a law to restrain inhuman severity to Christian servants, and for building a Government House at Nevis. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XLVII., pp.* 213-229.]

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Nov. 29. **1,021.** Minutes of Council of Jamaica. Sundry business with the accounts of the Island. Mr. Smith Kelly, the new Provost Marshal sworn. Petition of St. George's parish considered. Major Archbold and Cornet Risby gave an account of their marches against the rebel negroes, and the account of the operations was reviewed at length. Resolved to keep a standing party, to be raised from the two parties of St. George's and St. Mary's parishes, and to be paid regularly; but since the Treasury is empty, agreed to recommend them to the good offices of the vestries of the Island. In the meantime all officers are ordered to be vigilant, and all footmen of the militia, who have a good horse and equipment and shall be willing to serve in the horse, shall be transferred thereto. The good service of the Attorney-General in the suppression of piracy was brought forward. [*Col. Entry Bk., Vol. XXXVI., pp.* 136-144.]

[Nov. 29.] **1,022.** Copy of a commission issued to Bartholomew Sharpe by Sir William Stapleton, dated 29 January 1683-4. *Certified*, 11 Sept. 1686. *Endorsed*. Recd. from Mr. Pepys 29 Nov. 86. [*Col. Papers, Vol. LIX., No.* 16.]

Nov. 29. **1,023.** Journal of Assembly of Barbados. Bill for an impost on liquors and for appraisement of negroes and slaves read a third time. A letter from Sir Timothy Thornhill read, disclaiming the disloyal words imputed to him by Mr. Harwood, and begging the testimony of the Assembly to his loyalty, *dated* November 29. Answer of the House, expressing surprise that Sir Timothy should be accused of disloyalty, considering the many high offices that he has discharged with honour. Act for an impost on liquors passed.

Nov. 30. Adjourned to 25 January. [*Col. Entry Bk., Vol. XIV., pp.* 161-164.]

Nov. 30. **1,024.** Minutes of Council of Barbados. The Assembly brought up a Bill to lay an imposition on liquors, representing that it had been passed with some irregularities by reason of haste; it being expedient to pass it before the old Act should expire, and before the Lieutenant-Governor should go for a cruise for the establishment of his health. The Lieutenant-Governor said that such irregularities would be a bad precedent, that he could not pass the Bill, that though he was just going aboard ship he would wait, and begged them to think of the best means for setting the matter right. The Assembly therefore passed a short Act to continue the expiring Act, which was passed by the Council for three months' duration only. Order of the Lieutenant-Governor committing the care of the Island to the members of Council, during his absence at sea, within the limits of his government. [*Col. Entry Bk., Vol. XI., pp.* 735-737.]

Nov. 30. **1,025.** Acts of Barbados passed in 1686.
Act for the governing of convict rebels transported.
Act to appoint a Treasurer.
Act appointing a Committee of Public Accounts.
The above passed 4 January 1686.
Act to continue various expiring Acts. Passed 26 October 1686.

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Act of appraisement of negroes and slaves. Passed 29 November 1686.

Act to continue an Act for an impost on liquors. Passed 30 November 1686. [*Col. Entry Bk., Vol. XIV., pp.* 145-171.]

[Nov. ?] **1,026.** Commission to Christopher, Duke of Albemarle, to be Governor of Jamaica. The power of Vice-Admiralty and of suspending the King's naval officers are included in this commission. [*Col. Entry Bk., Vol. XXXI., pp.* 219-241.]

Dec. 1. **1,027.** Governor Dongan to Mons. de Denonville. I have received yours of 1 October. I find you were angry at the writing, and therefore fear that it was ill turned into French, for I have no great skill in your language. I have sent a copy in English, and desire you to believe that I wish for nothing more than a good correspondence between us and that I shall protect none who give me occasion to suspect them. I have not solicited or bribed the Indians to arm or make war against you, on the contrary my care to keep those inclined to war in quiet has been so great that one word is enough for them. I have forbidden them to join any others against you, and have suffered none to plunder. I have only permitted several of Albany to trade among the remoter Indians, but with strict orders not to intermeddle with any of your people; and I hope they will find the same civility from you. It is so far from pillaging, that I believe that it as lawful for the English as for the French to trade there, we being nearer by many leagues than you are. Pray send me word who it was that pretended to have my orders for the Indians to plunder and fight you, for I assure you I am altogether as ignorant of any enterprise made by the Indians out of this government as I am of what you mean by Mihillmiqum. I have acted according to my professions. I have asked you to send for the deserters. I know not who they are, but had rather such rascals and bankrupts, as you call them, were among their own countrymen, and shall expel them, instead of detaining them, when I hear from you. It is true that I ordered our Indians, if they met with any of your people or ours on this side of the lake without a pass from you or me, to bring them to Albany. I thought this in accordance with the wishes expressed in your letter, for such are, as you say, very ill people, ready to lie to Christians as well as heathens. The missionary fathers, if they will but do me justice, can tell you how careful I have been to preserve them. I have strictly ordered our Indians not to use any cruelty or insolence towards them, and have written to the King, my master, who has as much zeal as any prince for the propagation of the Gospel, how needful it is to send fathers to preach to the Indians. Care will then be taken to turn them from their drunken debauches, though certainly our rum does as little hurt as your brandy, and, in the opinion of Christians, is much more wholesome. However though to keep the Indians temperate and sober is a very good and Christian performance, yet it seems a little hard and very Turkish to prohibit them all strong liquor. What I wrote of the pay due to me in France is very true. The intendant made out the account and signed it, and I gave the copies to Mons. Pagaiou

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in the street of St. Honour to put into the hands of the Duchess of Orleans' chaplain. Pray do not trouble yourself about it, for I will get the matter represented from England, and I doubt not of the French King's generosity. Be sure that I wish above all to preserve the union between the two crowns. *Signed*, Tho. Dongan. 3 *pp. Copy. Endorsed.* [*Col. Papers, Vol. LIX., No.* 17.]

Dec. 2. **1,028.** Minutes of Council of New York. Order for John Cavalier, the door-keeper, to be allowed ninepence for every person bringing him a petition, eighteen pence on every patent passed, and ninepence for every person cited before the board. Information against Thomas Jeames for using seditious words in a sermon, and against several others for publishing seditious protests against the orders of the Governor and Council. The offenders fined. Lucas Santen was granted extension of time for preparing his defence. Major Howel appeared on behalf of the inhabitants of Southampton. [*Col. Papers, Vol. LVIII., No.* 106.]

Dec. 2. **1,029.** Governor Richard Cony to the Earl of Sunderland. Repeats his last letter and continues. Since then the country has been much quieter, throwing off their cabals and sundry other of their evil practices; but I cannot move them to repair the forts, though they have, without me, ordered people to draw lines of new fortifications. Nor can I induce them to build or support a building wherein I may secure my commission, and where myself and family may lie dry in our beds, for every wet day searches all the corners of the house. I should be glad to defer any Courts of Judicature till the arrival of a ship from England. The report of a new Governor has totally flung them back from sundry compliances to which I thought at last that I had gained them. They will not pay the soldiers in the castle, except with fine promises; they will not disburse a penny for any public concern, and the King must pay for all, and yet they defraud the King all they can. Now everyone is transported with expectations of immunity from the King and of favours from Sir Robert Robinson. If they follow their old methods they will quarrel with him as they have with me. As to my selling the country to the Spaniards, I know my own innocency too well to be dejected at such scandals. William Peniston left the Island in July for Barbados, and thence for England with articles drawn up against me, though of what nature I know not. I hear that Mr. William Penn has complained of me as to one Conway, a merchantman, who touched here. Had he rightly understood my care of his passengers he would have given me thanks rather than complaints. The transactions are herewith enclosed, as nearly as I could take them in the confusion to which the people had reduced me, and with such officers as I had. All business lay on me yet nothing was done, nor ever will be without a strong party of soldiers and good officers. Sir Robert Robinson will find the people as I have found them, faithless, smooth-tongued hypocrites. I have done my best to reduce this people, I have brought the Island into a better condition of defence than ever before, I have served the King to the best of my ability, and I find repose and calm in the thought.

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I should have sent this letter before could I have found a ship that I dared trust. If any homeward bound ship comes from the Islands the inhabitants take their provisions and dissuade them from coming in by slandering me. So that I lose my chances of writing and the country its chances of commerce; but the richer sort would not have any trade here but of their own introducing, which will end in the ruin of the poor who are compelled to buy at extortionate rates. I received a letter five weeks ago from the Commissioners of Customs, and another from Mr. Dyre, acquainting me that he had appointed William Peniston to be the King's receiver here. Peniston's commission has been hidden by his friends who received it in his absence, and so the King's customs are defrauded. Since the arrival of my own commission I have appointed a searcher, and filed an account of all exports and imports, so that when the Surveyor comes (and I expect him daily) he may demand the dues. That commission is, I perceive, very unwelcome to the country. They never believed the King would demand customs, but rather expected him to give them his royalty of whale fishing, the Crown lands and the public lands to be disposed of at their discretion. They will now long for the late Company again. Mr. Dyre's letter was dated 20 April; it arrived five weeks since by hand of a Bermudian from New York, and I am surprised that it did not reach me earlier, for there is frequent trade between New York and Bermuda. The letter was not delivered me until the news of a new Governor was come, which made them more negligent at the forts than they have been since the days of Bascom and Keele. Guard was seldom kept by day or night in spite of all that I could do. The men are well paid, but pride, sloth, long neglect and evil custom have corrupted them. They hope with a new Governor to evade duty again, and the place will be in no small hazard of capture, for doubtless the Spaniards will visit us in the spring. I much doubt the courage of the Bermudians, and fear their treachery as much, nay, more than any damage that the Spaniards could do us, were the people resolute and trusty, which believe me, my lord, they are not. It was a Bermudian who piloted the Spaniards into Providence, and there are hundreds in the Island who, if any enemy landed, would be as ready as the enemy to plunder. There is great want of ammunition for the castle and forts. I have supplied all public necessaries out of my own small stock of money almost since I came, but not a penny will the country raise to reimburse me. I found no public stock here nor can I get any account from the Sheriff, who was also receiver and disburser, and now my small purse is at the lowest ebb. About ten days ago a large chest with some small linen was found staved against the rocks. Four days after came ashore the King's arms, such as are generally carried on a ship's stern. I judged it to belong to a ship of between two and three hundred tons, but we know not as yet what she was. I learn that in September last the Spaniards came to Carolina about one hundred and forty strong, plundered the Governor's house and carried off twelve of the slaves, doing much damage. The inhabitants are now sending two French privateers with two hundred

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of the privateers' crews and three hundred of their own to take the forts and burn the town of St. Augustine. The Crown tenants here are forbidden to pay their rents, and threaten that if they do they shall be made to repay the rent to the country. In a word the aims of the people are to weary out the King with complaints and obstinacy, that in the end they may get the government into their own hands. If they fail they will go to other parts, and to that end are building vessels ready for trading wherever they go. Thus much of the timber is ruined, the heart of the land is worn out, and the country falls into ruin. *Signed,* Richard Cony. *Holograph. Three very closely written pages. Endorsed.* Recd. 15 Feb. 86-7. [*Col. Papers, Vol. LIX., No.* 18, *and Col. Entry Bk., Vol. XVIII., pp.* 103-110.]

Dec. 3. **1,030.** The Secretary of Nevis to Lords of Trade and Plantations. Sending duplicates of the minutes of Council, and proceedings of the Secretary's office and naval office. *Signed,* Tho. Fenton. 1 *p. Endorsed.* Recd. 31 Jan. 86-7. [*Col. Papers, Vol. LIX., No.* 19, *and Col. Entry Bk., Vol. XLVII., p.* 248.]

Dec. 4. **1,031.** Journal of Lords of Trade and Plantations. The State of the King's title to St. Lucia read (*see next abstract*), and ordered to be laid before the King, together with a state of his title to Tobago, prepared in answer to the Duke of Courland's memorial.

The appeal of William Vaughan heard, the decree of Chancery of New Hampshire reversed, but the appeal in the matter of the ketch Diligence dismissed, and a fine imposed for beating a King's officer affirmed.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 37-40.]

[Dec. 4.] **1,032.** The King of England's title to St. Lucia. In 1605 sixty-seven English landed and took possession of the island. Sir Thomas Warner, who first settled the Caribbee Islands, took possession of it about 1626 and appointed one Major Judge to be Governor. It was granted, with the neighbouring Islands, to James, Earl of Carlisle, in 1627. In 1662 Francis, Lord Willoughby, purchased it from the natives for the King, and in 1665 sent one Robert Cook there as Governor with eleven hundred men from Barbados, who, finding several Frenchmen there who had been there since 1643, transported them to Martinique, and remained on St. Lucia for a considerable time. As to the application of these English to the French at Martinique (*see No.* 998), it appears that being in great straits for food, some of them did betake themselves to Martinique, though without any commission from the Governor, and alleging the hardship that they underwent in St. Lucia begged for transportation to Barbados. To obtain this they were persuaded to go before the Governor and Council of Martinique and acknowledge the French right to St. Lucia, but this was disavowed by Governor Robert Cook; all of which is proved by authentic relations of the French themselves. The Island has always been included in the King's commissions to the Governor of Barbados, who is empowered to appoint a Deputy Governor

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and Council. Colonel Stede's conduct is therefore justified. *The 12th article of the Treaty of Breda does not effect the present case. The English never put St. Lucia into the possession of the French nor did they ever take it from them, the English King's right having never been discontinued since 1605.* *Draft, with corrections.* 3 *pp.* *Endorsed.* Read at the Committee. Dec. 4 1686. *The paragraph marked * to *, is omitted in the Entry Book.* [*Col. Papers, Vol. LIX., No.* 20, *and Col. Entry Bk., Vol. VII., pp.* 393-394.]

[Dec. 4.] **1,033.** The King of England's title to Tobago. The Island was taken possession of by Sir Thomas Warner in 1626, and granted to James, Earl of Carlisle. Several years before the Restoration, the Duke of Courland and some Zealanders attempted a settlement there, but the Duke was wholly dispossessed by the Zealanders of the Island, and by the Dutch West India Company of his Fort St. Andrew in the Gambia. In 1661 Sir Robert Holmes took Fort St. Andrew, which was given to the Royal African Company of England. It was claimed by the Duke of Courland, but he being very anxious to regain Tobago he received it as a grant from the King of England, who retained Fort St. Andrew. Notwithstanding this, however, the Dutch held the Island in 1672, when it was retaken by the English and the plantations destroyed. After the peace the Dutch resettled Tobago, until driven out by the French in 1676, when the island was left desolate until some Dutch ships were fitted out to settle a plantation there as pretence of the Duke of Courland's right; but without success. In September 20 the Duke's agent, Abraham Mason, made a contract with Captain John Poyntz that the Duke should grant to Poyntz and Company 120,000 acres of land in the island. This matter came before the Committee, when the Attorney-General reported that the King's grant of Tobago to the Duke was void in law. The Lords also pointed out the disadvantage that an island so close to Barbados should be in foreign hands. The articles granted to Poyntz by the Duke violated the original spirit of the grant, and it may be questioned whether, considering the failure of the Duke to fulfil his agreement and the number of times that the Island has changed hands, the King should recognise the Duke's title to Tobago at all. Read and approved, 4 Dec. 1686. [*Col. Entry Bk., Vol. VII., pp.* 384-386.]

[Dec. 4.] **1,034.** Memorial presented to the Duke of Courland's agent. Recapitulating the details in the preceding abstract with the following decision. The King does not hold himself obliged to admit theDuke of Courland's title nor to permit his subjects to settle there, for if the inhabitants be counted foreigners no other of the English plantations could lawfully trade with them, and if they be counted English they must not entertain any traffic with a foreign country. Read and approved at the Committee. Dec. 4 1686. [*Col. Entry Bk., Vol. VII., pp.* 387-388.]

Dec. 4.
Whitehall.
1,035. The King to Lieutenant-Governor Edwyn Stede. Appointing John Reid to be sworn of the Council of Barbados. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. VII., p.* 396.]

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Whitehall.

1,036. Royal instructions to Lieutenant-Governor Edwyn Stede. For the encouragement and protection of the Royal African Company, and the suppression and punishment of interlopers, and of such as buy negroes from them. [*Col. Entry Bk., Vol. VII., pp.* 395-396.]

Dec. 4.
Council Chamber.

1,037. Lords of Trade and Plantations to the King. On the appeals of William Vaughan we are of opinion (1) that the appeal against a fine imposed for assaulting an officer of the Customs be dismissed; (2) that the appeal in the matter of the sloop Diligence be dismissed; (3) that the third appeal in favour of Richard Martin be allowed, and that the decree of the Court of Chancery of New Hampshire be reversed. We recommend the allowance of £20 costs to the successful party in each case. [*Col. Entry Bk., Vol. LXVII., pp.* 160-161.]

Dec. 4.

1,038. Minutes of Council of New York. Petition of Thomas Jeames read. Petition of Robert Allen against the seizure of his ship rejected. Captain Santen's defence read. The Attorney-General produced his proofs, which were ordered to be copied. Captain Santen laying a charge against some person not named was required to name him, but refused. [*Col. Papers, Vol. LVIII., No.* 106.]

Dec. 6.

1,039. Minutes of Council of New York. Petition of Abraham Corbet granted. Business of land grants. Captain Santen ordered to file his information against the ship Mariner's Adventure. Mr. Arnold's salary of £50 allowed. [*Col. Papers, Vol. LVIII., No.* 106.]

Dec. 6.
New York.

1,040. Grants of Crown lands by Governor Dongan to Joseph Sachett (*pp.* 68-71), John West (*pp.* 71-74), Benjamin Smith (*pp.* 74-76), inhabitants of Southampton (*pp.* 77-87). [*Col. Entry Bk., Vol. LXXIV., pp.* 68-87.]

Dec. 7.

1,041. Cruising orders of Lieutenant-Governor Molesworth to Captain Charles Talbot, R.N., with supplementary orders of 14th and 16th December. General orders for the protection of shipping and capture of pirates between St. Domingo and Jamaica. Similar orders to Captain Sprag. 24 November 1686. To cruise to the Mosquitos in search of the pirate Banister. Supplementary order of 26 November. *The whole* 4 *pp. Endorsed.* Recd. 10 Mar. 87. [*Col. Papers, Vol. LIX., No.* 21.]

Dec. 7.

1,042. Sign manual for the payment of £200 as travelling expenses to Sir Robert Robinson. *Countersigned,* Rochester. *Copy.* ½ *p. Endorsed.* [*Col. Papers, Vol. LIX., No.* 22.]

Dec. 7.

1,043. Warrant of the proprietors of Carolina for the allotment of three thousand acres of land to James Mantell Goulard de Vervaut. *Signed,* Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 101.]

Dec. 7.

1,044. Warrant of the same for the grant of twelve thousand acres of land to James Mantell Goulard de Vervaut. *Signed,* Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 102.]

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Dec. 8. **1,045.** Journal of Lords of Trade and Plantations. The complaint of Richard Stafford and others of Bermuda heard (*see No.* 1004). Order for the complainants to be released, and reparation to them to be made.

Petitions of the parties in Vaughan's appeal to costs. Costs regulated at £20 on each appeal.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 40-44.]

Dec. 8. **1,046.** Memorandum of Lords of Trade and Plantations. On several petitions from Mr. Cranfield and others, the Lords agree that in all appeals brought from the Colonies there shall be allowed the sum of twenty pounds costs for each appeal to the persons in whose favour judgment is given. [*Col. Entry Bk., Vol. XCVII., p.* 236.]

[Dec. 8.] **1,047.** Petition of Nathaniel Weare to Lords of Trade and Plantations. I hear that of three appeals of William Vaughan, the second was given in his favour. I beg to be allowed the annexed bill of costs on the second appeal. ½ *p. Annexed.*

1,047. i. The bill of costs referred to. *Total* £69 15s. 6½d. *Endorsed.* Recd. 8 Dec. 1686. [*Col. Papers, Vol. LIX., No.* 23, 23i.]

Dec. 8. **1,048.** Petition of Edward Cranfield to Lords of Trade and Plantations. Great expense has been caused to him by two appeals brought against him before the Lords by William Vaughan, both of which were dismissed. Prays for damages and costs. *Copy.* 1 *p. Endorsed.* Presented 8 Dec. 86. *Annexed.*

1,048. i. The bill of costs referred to, amounting in all to £31 10s. 1 *p. Endorsed.* [*Col. Papers, Vol. LIX., Nos.* 24, 24i.]

Dec. 8. **1,049.** A collection of papers relating to the charge of traffic with an interloper preferred by Robert Byndloss against William Beeston and others (*see No.* 586).

1,049. i. Lieutenant-Governor Molesworth's commission to Andrew Langley and Peter Heywood, justices of the peace, to examine into the charges of Robert Byndloss. Dated 26 [*should be* 16th] Nov. 1686. *Copy.* 1 *p. Copied on same sheet.* The letter of the Lords of Trade and Plantations of 6 July, and an extract from Byndloss's original letter.

1,049. ii. Certificate of Andrew Langley and Peter Heywood, that they have taken the necessary depositions. *Copy.* 1 *p. Dated,* 16 Nov. 1686 [*should be* 26th]. *Endorsed.* Jamaica, 8 March 1686-7. Recd. 23 June 1687 from Mr. Byndloss.

1,049. iii. Memorandum of the questions to be addressed to witnesses, seventeen in all. An additional question put by Sir Henry Morgan, together with his warrant from Byndloss for doing so. 3 *pp.*

1,049. iv. Depositions of Doctor Isaac Brown in answer to the questions. 27 November 1686. 3 *pp.*

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1,049. v. Depositions of Humphrey Knollis and Jonathan Knollis. 1 Dec. 1686. 4 *pp.*

1,049. vi. Depositions of Walter Carey and Thomas Lovell. Same date. 2½ *pp.*

1,049. vii. Depositions of Thomas Peck and Solomon Deleon. Same date. 2½ *pp.*

1,049. viii. Depositions of Thomas Purchase and Richard Evans. Same date. 3½ *pp.*

1,049. ix. Depositions of William Cole. 8 December 1686. 1¼ *pp.*

1,049. x. Depositions of John Browne and Robert Baxter. Same date. 3 *pp.* [*Col. Papers, Vol. LIX., Nos.* 25i.-x.]

Dec. 8. to Dec. 20. **1,050.** Records of (1) purchase of land from Indians by Governor Dongan, (2) power of attorney given by Edward Griffith to Jacob Milborne; (3) deed of sale of a sixth share in a ship by Edward Antill to Charles Lodowyck; (4) deed of mortgage on a ship from James Shore to Edward Anthill; (5) four letters of probate of wills from Governor Dongan. [*Col. Entry Bk., Vol. LXXIV., pp.* 52-68.]

Dec. 9. **1,051.** Minutes of Council of New York. The Governor's instructions read. Order for the revenue laws unrepealed by the King that have been made since 1683 to remain in force. Captain Santen produced documents against the ship Adventure, on which the Council, deeming them insufficient evidence, ordered her discharge. Order for the preparation of a law against privateers, the law-officers being of opinion that under the Governor's commission it can be passed by the Governor and Council only. Captain Santen again charged persons unnamed with embezzlement of the revenue, and was ordered to furnish the names. [*Col. Papers, Vol. LIX., No.* 106]

Dec. 9. New York. **1,052.** Petition and answer of Lucas Santen to an order of Council of New York of this day. In consequence of the Governor's prejudice against him, and in favour of the other parties concerned, he believes neither his life nor his fortune safe to prosecute his case here, but is ready to justify himself in Council. *Signed,* Lucas Santen. *Certified copy.* ½ *p. Endorsed.* [*Col. Papers, Vol. LIX., No.* 26.]

Dec. 10. Whitehall. **1,053.** Order of the King in Council. Ordered, on the dismissal of the appeal of William Vaughan in the matter of the ketch Diligence, that appellant pay £20 to Edward Cranfield for his costs in attending the trial, and that Sir Edward Andros see to the payment thereof. *Signed,* Phil. Musgrave. [*Col. Entry Bk., Vol. LXVII., pp.* 162-163.]

Dec. 10. Whitehall. **1,054.** Order of the King in Council. That William Vaughan pay £20 to Robert Mason for his costs in attending his appeal. *Signed,* Phil. Musgrave. [*Col. Entry Bk., Vol. LXVII., p.* 163.]

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1,055. Order of the King in Council. Ratifying the fine of forty shillings imposed on William Vaughan by the Court of New Hampshire, and ordering him to pay £20 to Edward Cranfield for his costs in attending the appeal. Sir Edmund Andros to see to the payment. *Signed*, Phil. Musgrave. [*Col. Entry Bk., Vol. LXVII., pp.* 164-165.]

Dec. 10.
Whitehall.

1,056. Order of the King in Council. That Richard Martyn pay £20 to William Vaughan for his costs in his appeal against a decree of the Court of Chancery of New Hampshire. [*Col. Entry Bk., Vol. LXVII., p.* 165.]

Dec. 10.
Whitehall.

1,057. Order of the King in Council. Report of Lords of Trade and Plantations, recommending that the prisoners from Bermuda be allowed to return home, there being nothing proved against them, and that their property, if seized, be restored to them, and that Sir Robert Robinson see that they are indemnified for their hardships. *Dated*, December 8 1686. Ordered accordingly. *Signed*, Phil. Musgrave. [*Col. Entry Bk., Vol. XVIII., pp.* 95-97.]

Dec. 13.

1,058. Minutes of Council of New York. Order for every Monday to be the Council's day for consideration of the King's affairs, and every Thursday for the hearing of public business. The Council's report on Captain Santen's business read. Ordered that he bring his accounts from 25 March last to the auditors appointed, and give security for payment of all arrears and for faithful discharge of his duty in future. Order for the waiters' accounts against the Mariner's Adventure to be paid at the King's charge. Order for a commission to be made out to the former auditor to examine Captain Santen's accounts. Report of the Council on Captain Santen. After examination we find that Captain Santen has been negligent in keeping his accounts, and in not making due payment of the King's revenue. He has disobeyed your commands in Council, and used scurrilous expressions against the Attorney-General. We think that he ought to give security for payment of arrears and future good behaviour. *Signed*, Ant. Brockholes, Geo. Baxter, Fre. Flipson, Jno. Spragge. [*Col. Papers, Vol. LVIII., No.* 106.]

[Dec. 14.]

1,059. Petition of the justices of the peace of the Narragansett Country to the King. The settlement of this province has long been delayed by the factious behaviour of John Greene of Warwick. On the publication of the instrument establishing the new government, this John Greene and James, his brother, with others of Warwick, tore down the proclamation and carried it away. He has since refused the mediation of the President of New England and the Governor of Rhode Island for settling the boundaries of Warwick and quieting the contentions and disputes which he has stirred up here by false deeds and other ill means. We hear too that he is trying to retard the royal regulation of Rhode Island, by inducing the inhabitants to sign certain papers drawn up by himself, and to contribute money to send him to carry his causeless complaints to Whitehall, whither he is now gone, without any

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lawful power from the Governor and Company of Rhode Island. We beg that the designs of Greene may be checked, and his papers referred to the President and Council of New England, or to other competent judges, when we may all be heard. *Signed*, Rd. Wharton, Richd. Smith, John Saffin, John Fones, Elisha Hutchinson, Francis Brinley. *Large sheet. Endorsed.* Recd. 14 Dec. 86. [*Col. Papers, Vol. LIX., No.* 27.]

[Dec. 14.] **1,060.** Petition of the proprietors of Pawtuxet, in the township of Providence, Rhode Island, to the King. William Harris showed in 1677 that we had been kept out of rightful possession of our lands. An assize was appointed at Providence that same year, judgment was given for us in five actions, and the result was reported to the late King. Major John Greene, of Warwick, a great oppressor of ours, thereupon posted to Whitehall, and in the absence of Harris, obtained a stay of execution on the second verdict. On Harris's arrival the King ordered the first and three last judgments to be executed, and the second to be reheard. But Greene, by collusion with the officer appointed by the Government of Rhode Island, has rendered the King's orders ineffectual, and Harris, on going to England again was captured by Algerine pirates and soon after died. Hearing that Greene is again on his way to Whitehall, we beg that his complaints may be referred to the President and Council of New England, that so we may obtain justice. *Signed*, Nathaniel Thomas, as attorney to the proprietors. 1 *p. Enclosed.* Recd. 14 Dec. 86. [*Col. Papers, Vol. LIX., No.* 28.]

Dec. 15. **1,061.** Additional instructions from Governor Sir Robert Robinson. For the execution of order in Council of 10 December in reference to the prisoners sent from Bermuda (*see No.* 1,057). *Countersigned*, Sunderland., [*Col. Entry Bk., Vol. XVIII., pp.* 97-98.]

Dec. 16. **1,062.** Circular. Lords of Trade and Plantations to the Governors of Colonies. Ordering the publication of the Treaty of Neutrality with France in America. *Signed*, Sunderland, Jeffreys, Rochester, Ormond, Middleton, Dartmouth, Godolphin. [*Col. Entry Bk., Vol. XCVII., pp.* 236-237.]

The same to the Governor of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 117-119.]

Dec. 16. **1,063.** Minutes of Council of New York. On petition of John Smith, ordered that the Indians do not molest him. Order for arrest of Simon Sarion, John Treadwell, and Jonathan Smith, to answer for their contempt of the order of the Council. Order for a warrant permitting Lord Nial Campbell to purchase three thousand acres of land adjoining Jacob de Key. The Attorney-General moved that Captain Santen may be obliged to put in his charge against him. Ordered that Santen put in his charge against Mr. Graham in writing by Monday next. [*Col. Papers, Vol. LVIII., No.* 106.]

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Dec. 16.
New York.

1,064. Declaration of Lucas Santen. In obedience to order in Council of 13 December, I have drawn out my accounts from 3 November 1683 to 25 March 1686. and an abstract thereof from the latter day to the 13th December; and I am ready to shew my books and give satisfaction to any auditors that shall be appointed, except James Graham and Thomas Cocker, for reasons already given this day. *Signed*, Lucas Santen. *Certified copy.* ½ *p. Endorsed.* [*Col. Papers, Vol. LIX., No.* 29.]

Dec. 16.

1,065. Reasons alleged by Lucas Santen against the nomination of James Graham and Thomas Cocker as auditors of his accounts. Graham is appealed by me before the King and Council for certain misdemeanours. Cocker is Surveyor-General of Customs and receives a duplicate of all my entries. *Certified copy.* 1 *p.* [*Col. Papers, Vol. LIX., No.* 30.]

Dec. 17.
Jamaica.

1,066. Lieutenant-Governor Molesworth to William Blathwayt. Captain Talbot has been cast in his action against the unfree ship by libelling her in the Admiralty as if she had been taken at sea, whereas she was in port, and for not positively asserting the time of seizure. On this nicety judgment was given against him, much to his dissatisfaction, and the more so because I had promised the merchants, who had set before me the equity of their case, to forego my share of the forfeiture, which would have been one-third if the action had been brought, as it should have been, for a seizure made in port. However, to evade that as well as a trial by jury, he libelled the vessel in the Admiralty, for which he had some colour. Two days before the seizure, I was informed of a vessel anchored scandalously in the mouth of the port, and laden with logwood, which had given no bond and was evidently bound for some foreign port. I ordered Captain Talbot to send a boat on board to see what their business was, and if she were not free to come in to take possession of her till further orders, which was done. The owners applied to me, saying that they were not within the compass of the Act, as the Bay of Honduras, where logwood is shipped, is not an English colony. I answered them, "Then you are robbers, for how can you pretend to cut logwood unless you take the country for an English settlement? You had better call it an English colony, and bring yourselves within the Act, or you may find yourselves in worse circumstances." Then they asked that she might come into port. Next day Captain Talbot told me he had reason to believe her a foreign-built ship. I told him to seize her if he thought fit, not knowing that according to local custom as old as I can remember, she was free. He was told of it before he made the seizure, and therefore he libelled her in the Admiralty Court. Some of Banister's people, who had been sent up here from Honduras, gave me such an account of his condition among the Indians that I have sent Captain Spragge after him with a sloop, in order the more easily to trepan him aboard. None of these men of Banister's (except two, who are now in gaol) were even suspected to have been aboard him when committing his piracies, but were shipped at the Mosquitos, Banister being disguised and

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passing under another name, so that they did not discover until they were on the point of going to sea. Then some of them escaped to Honduras, where they warned a merchantman of Banister's designs, and were sent by him to me.

I have lately taken another of the South Sea pirates with three of his entertainers. The pirate was executed, but I thought that of the other three the execution of one would suffice for an example; the more so as the case can be tried in the Court of Admiralty, where there is no jury for them to depend on. Courtney, a sloopman, was acquitted by a jury at last Grand Court, though it was positively proved that he had been with the French at Campeachy. The Court was much surprised and rebuked them severely; and the prisoner was detained in custody for trial on other charges. I am expecting a list of several old debts due to the King for fines, escheats, &c., and a list of houses at Port Royal belonging to pirates of the South Sea, which will become forfeited to the King under the late proclamation. I have given orders for the taking of evidence from all witnesses sworn by Colonel Byndloss in the matter of the interloping ship Hawk. I have seen none of them so far, but I hear that he is likely to make out the most material part of his information. Whether all his pains were really intended for the King's service, or to gratify his private piques is a question I leave to others. To prevent the like neglect in the seizing of interlopers in future, I have entrusted the duty to particular persons, for what is really everybody's business is commonly thought to be nobody's. Recd. 10 March 1686-7. [*Col. Entry Bk., Vol. XXXI., pp.* 326-333.]

Dec. 18. **1,067**. Receipt. A list of papers received from William Blathwayt. *Signed,* Robt. Robinson. 1 *p. Endorsed.* [*Col. Papers, Vol. LIX., No.* 31.]

Dec. 18. **1,068**. Similar receipt for the great seal of Bermuda, and press. *Signed,* Robt. Robinson. 1 *p. Endorsed.* [*Col. Papers, Vol. LIX., No.* 32.]

Dec. 19. **1,069**. Journal of Lords of Trade and Plantations. A number of requests from the Duke of Albemarle read. 1. For salary for a gunner. 2. For a fund for repairing the King's houses. 3. For release of his baggage from duty. 4. For books of homilies. 5. For information as to the Admiralty in Jamaica. 6. For power to visit neighbouring colonies. 7. For record in the Council books that he be not responsible for the revenue applied without the Council's consent. 8. For two foot companies to be sent to Jamaica. 9. For rehearing of his case as to the half perquisites. Several Acts of Jamaica received and referred to the Lord Chancellor. Colonel Molesworth's letter of 28 September read (*see No.* 883).

Colonel Stede's letter of 20 October read. Extract of a letter from Captain St. Loe read touching letters of reprisal granted against the Spaniards by Governors of Colonies.

The address of Randall Holden read. The Lords' note that the matter is dealt with by Sir E. Andros's instructions. [*Col. Entry Bk., Vol. CIX., pp.* 44-49.]

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Dec. 20. **1,070.** Minutes of Council of New York. Act against privateers read a first time. Order for seizure of goods landed by one Ceafford and one Campbell, without paying duty. Captain Santen brought his answer to the last order in Council. [*Col. Papers, Vol. LVIII., No.* 106.]

Dec. 20. New York. **1,071.** Petition of Lucas Santen, in reply to order in Council of 16 December. Having not impeached James Graham or any other in the colony, I do not conceive myself obliged to prosecute him. *Signed,* Lucas Santen. *Certified copy.* ½ *p. Annexed.*

1,071. I. Copies of two orders in Council of January 3rd and August 5th 1685, as to alleged breach of the Navigation Acts by the ship Charles, and as to the time from which the King's proclamation regarding the Royal African Company takes effect. 1 *p.* [*Col. Papers, Vol. LIX., Nos.* 33, 33I.]

Dec. 23. **1,072.** Minutes of Council of New York. Simon Sarion, John Treadwell and Jonathan Smith were brought up, made their defence and were discharged, paying their fees. [*Col. Papers, Vol. LVIII., No.* 106.]

Dec. 24. **1,073.** Instructions of the Surveyor-General to the collectors of revenue in Virginia. Thirty-two heads. *Signed,* Pat. Mein, Surveyor-General. 5½ *pp.* [*Col. Papers, Vol. LIX., No.* 34.]

Dec. 26. Council Chamber. **1,074.** Lords of Trade and Plantations to the Governor of New England. Ordering the publication and execution of the Treaty of Neutrality between France and England in America. [*Col. Entry Bk., Vol. LXI., p.* 340.]

The same to the Governor of New York. [*Col. Entry Bk., Vol. LXVIII., pp.* 147-148.]

To the Governor of Barbados. [*Vol. VII., p.* 397.]

To the Governor of Jamaica. [*Vol. XXXI., pp.* 197-199.]

To the Governor of the Leeward Islands. [*Vol. XLVII., p.* 241.]

To the Governor of Bermuda. [*Vol. XVIII., pp.* 99-100.]

Dec. 27. **1,075.** Minutes of Council of New York. Order for the town of Brookhaven to set out a hundred acres, a house, and a house lot, for the use of a minister for ever. [*Col. Papers, Vol. LVIII., No.* 106.]

Dec. 30. **1,076.** Report of the proceedings of a Court of Admiralty, held at Charlestown, Nevis, on Bartholomew Sharpe and his company for piracy. The Grand Jury was impannelled and sworn on 24 December, but on Sharpe's request for time to prepare his defence, the Court was adjourned to the 30th, when the Grand Jury threw out the bill. Captain St. Loe proposed that the crimes for which the prisoners had been indicted being committed near Jamaica, they might not be cleared by proclamation, but sent to Jamaica for trial. *Certified copy. The whole.* 5 *pp. Endorsed.* Recd. from Sir James Russell, 22 March, 1686-7. [*Col. Papers, Vol. LIX., No.* 35.]

1686.
Dec. **1,077.** An account of the ordnance, carriages, and ammunition found in New England, December, 1686. The forts viewed were those of Boston, and of Portsmouth, New Hampshire. [*Col. Entry Bk., Vol. LXI., pp.* 348-351.]

Dec. **1,078.** Returns of shipping and exports from New England in 1686. [*Col. Entry Bk., Vol. LXIII., pp.* 1-8.]

1,079. Memorandum addressed to the French Commissioners for their information. From an exact account received from Mr. Palmer, the judge at Pemaquid, as to the ship Joanna and the wine on her, it appears that the wine were not seized at Penobscot first, nor in the bay that bears its name, but on the New England side, on the western side of the river. After this it can hardly be doubted that the whole enterprise has been fraudulent, and contrary to the law of England, which forbids any merchandise to be carried to the West Indies except in English bottoms. The culprit, Philip Severell, therefore deserves no protection from the French King, and, indeed, cannot receive it, as the matter is of concern only to the King of England, having taken place on his territory. *French.* 2 *pp. Draft, very ill-written, with corrections. Endorsed. Annexed,*

1,079. I. Deposition of George Goare. As to the voyage of the Joanna and the seizure of the wine. Sworn before J. Palmer, 23 July 1686, and before J. Dudley, President, 1 Oct. 1686. 2 *pp. Endorsed.*

1,079. II. Deposition of William Card to the same effect. Sworn before J. Palmer, 28 July 1686. 1½ *pp. Endorsed.*

1,079. III. Deposition of Joseph Perry. Sworn 29 July 1686. 1½ *pp.* [*Col. Papers, Vol. LIX., Nos.* 36, 36I.-III.]

1,080. Warrant for payment of a chaplain, an armourer, and a gunner, to be added to the establishment of the two independent companies at New York. *Countersigned,* William Blathwayt. *Copy.* ½ *p. Endorsed.* 1686. [*Col. Papers, Vol. LIX., No.* 37.]

Nevis. **1,081.** Accounts of the Royal African Company. Negroes last year produced 3,423 lbs. of sugar a head, but sugar is fallen from 12*s.* 6*d.* to 6*s.* 5*d.*, so that the company here lost by the fall in sugar from 10*l.* to 11*l.* a head. Gross proceeds of the year's transactions, 4,275*l.* Deduct for freight and customs, 1,402*l.* Balance, 2,872*l.* *Large sheet. Endorsed.* 1686. [*Col. Papers, Vol. LIX., No.* 38.]

1,082. An account of escheats in Jamaica, not brought to account since the departure of Governor Lord Vaughan. Value, 1,062*l.* *Two large sheets, with the information arranged in columns. Endorsed.* Recd. from Colonel Molesworth, 10 March 1686-7. [*Col. Papers, Vol. LIX., No.* 39.]

1,083. Petition of Henry Mudd to the King and Lords of Trade and Plantations. A ketch belonging to petitioner was captured in the West Indies by the pirate Juan Corso, retaken by some English buccaneers, and carried into New York. Petitioner begs restitution of the vessel. 1 *p. On the next page.* Deposition of Edward

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Oakly, mate of the vessel in question, as to the capture and plunder of the ship by Juan Corso. 1 *p.* *Copies.* [*Col. Papers, Vol. LIX., No.* 40.]

New York. **1,084.** An account of stores granted without a licence in New York in 1686. A paper used in the charges against Lucas Santen. 1½ *pp.* *Col. Papers, Vol. LIX., No.* 41.]

1,085. Account of the distribution of the salvage money for the bale of silk picked up by the ship Mariner's Adventure. *Signed,* M. Nicolls. 2 *pp.* [*Col. Papers, Vol. LIX., No.* 42.]

1,086. Inscription of Lord Culpeper's seal for the quit rents of the Northern part of Virginia. "Thomas Lord Culpeper, Owner of the Northern tract of Virginia." *Scrap.* [*Col. Papers, Vol. LIX., No.* 43.]

1,087. Petition of Theophilus Hopkins. Repeating the request and arguments in his former petition (*see No.* 660), as to the King's silver. 1 *p.* [*Col. Papers, Vol. LIX., No.* 44.]

1,088. Proposals for settling a method for fines and recoveries and for collecting the dues known as the King's silver, in America. That a Commission be granted, with power to appoint sub-commissioners to inspect these dues. That the King ordain that all fines acknowledged before the Governor or judge of a Court of Common Pleas, all recoveries suffered there, and all fines acknowledged or warrants of attorney taken before Commissioners authorised by the Governor, shall be of the same force with fines and recoveries in England, and that fines with non-claims shall bar as in England. That a law be passed in the Colonies enacting that all persons holding land by grant, deed, or writing, and producing the same to the Commissioners within six months, and compounding and paying the King's silver there as if these had been fines levied, shall hold the same according to the purport of such writing as if there had been fines levied thereon, though the parties that executed the same should be dead at the time of payment of the King's silver, or *femes couvertes* at the time of the execution of such writing. That the Commissioners have power to execute oaths, and that they be also appointed chorographers of fines, and keepers of the rolls, records, and register-books relating to lands and enrolling of deeds in the Colonies, with power to appoint deputies and to take such fees as are usually paid in England. *Undated and unsigned.* 2¼ *pp.* [*Col. Papers, Vol. LIX., No.* 45.]

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1687.
Jan. 1. **1,089.** Account of stores sent from the Office of Ordnance to St. Christopher's, from 1 January, 1677-8 to 1 January 1686-7. 1 *p. Endorsed.* [*Col. Papers, Vol. LIX., No.* 46.]

[Jan.] **1,090.** Account of stores required for the use of the fort on Cleverley Hill, St. Christopher's. 1686. 1 *p. Endorsed.* Sir Nathaniel Johnson's memorial. [*Col. Papers, Vol. LIX., No.* 47.]

Jan. 2. Virginia. **1,091.** Governor Lord Howard of Effingham to the King. Humble wishes for a happy New Year to his Majesty. *Signed,* Effingham. *Holograph.* ½ *p. Endorsed.* Recd. May 87. [*Col. Papers, Vol. LIX., No.* 48, *and Col. Entry Bk., Vol. LXXXIII., p.* 124.]

Jan. 3. **1,092.** Minutes of Council of New York. Petition of J. Rusio. Petitioner referred to his legal remedy. Francis Stepney prohibited from teaching dancing, and ordered to find security for good behaviour, he having been expelled from Boston for loose behaviour. [*Col. Papers, Vol. LIX., No.* 49.]

Jan. 3. **1,093.** Minutes of Council of New England. Orders for a Bill to be prepared for raising a revenue, and for the duties on imported liquors in Rhode Island, New Plymouth, Providence, and King's province to be the same as in New England. A Committee appointed to revise and collect the laws for the new Government.

Jan. 4. Orders for the usual times and places to be continued in Rhode Island and New Plymouth, for Courts and for marriages, until further order. Order for a county rate of one penny in the pound. [*Col. Entry Bk., Vol. LXIV., pp.* 110, 111.]

Jan. 6. **1,094.** Minutes of Council of Nevis. Sir James Russell informed the Council that Captain St. Loe, of H.M.S. Dartmouth, had several times refused to obey his orders, and had positively declined to release some sailors that he had pressed, unless Captain Bartholomew Sharpe's men were delivered to him in their place. The King's letter to the Governor brought by Captain St. Loe, was read, also Captain St. Loe's orders from the Governor to pursue Captain Sharpe. The Governor verbally ordered Captain St. Loe to give up the men, but he refused, unless as many men were delivered to him in their stead. The Governor proposed a measure for validating wills which were improperly attested, owing to ignorance of testators; consideration thereof was deferred. [*Col. Entry Bk., Vol. XLVIII., pp.* 131, 132.]

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Jan. 6. **1,095.** Minutes of Council of New York. Petition of Francis Stepney granted, he having complied with the former Order in Council. Patents to three towns passed. [*Col. Papers, Vol. LIX., No.* 49.]

Jan. 10. **1,096.** Minutes of Council of New York. Order for a Commission for Captain Billop to be Surveyor of Staten Island. [*Col. Papers, Vol. LIX., No.* 49.]

Jan. 12. Custom House. **1,097.** Commissioners of Customs to Governor Sir Edmund Andros. We find that under colour of a trade to Newfoundland for fish, great quantities of European goods are imported into the American Colonies, and particularly into New England. The Island is become a kind of magazine of contraband goods. You will give all people to understand that Newfoundland is not a plantation like other of the King's Plantations, and that all such goods will be seized; and you will take effectual care that no goods are introduced from them into New England, by strict enforcement of the Navigation Acts. *Signed,* D. North, Cha. Cheyne, Jo. Werden, N. Butler, William Dickinson, J. Buckworth. [*Col. Entry Bk., Vol. LXI., pp.* 410-411.]

Jan. 12. **1,098.** Minutes of Council of New England. Letter from the Governor of Connecticut of 6th inst. read. Order that the Secretary send the Order in Council of 4th inst,, for collection of the King's rate, to the Treasurer to be enforced. [*Col. Entry Bk., Vol. LXIV., p.* 111.]

Jan. 12/22. **1,099.** Copy of deposition of Don Juan Santiago de Castillo concerning a seizure by John Nicolas, captain of the Custom-house boat, together with the captain's reply to the same. *Arranged paragraph by paragraph.* 6 *pp.* Affidavits of Governor Hender Molesworth of $\frac{15}{25}$ January and $\frac{18}{28}$ January, of Reginald Wilson, Henry Egleton, Peer Beckford, and Antonio [*name illegible*], in reference to the case. *The whole,* 13½ *pp. Spanish. Endorsed.* Recd. 2 June 87, from Colonel Molesworth. [*Col. Papers, Vol. LIX., No.* 50.]

Jan. 13. **1,100.** Minutes of Council of New York. Order for Lucas Santen to deliver all the papers of his office from 25 March last to Stephanus Van Cortlandt for audit, and all the money that he has of the King's, before one o'clock this afternoon. Adjourned to three p.m. Mr. Cortlandt said that Mr. Santen refused to obey. Order for the papers to be seized. Order for suspension of Mr. Santen, and for appointment of Peter Delancey in his place. 2½ *pp.*

Jan. 14. Report of James Swinton, that he had seized the papers of Lucas Santen and John Smith, as ordered. 3½ *pp.* [*Col. Papers, Vol. LIX., No.* 49.]

Jan. 18. **1,101.** Minutes of Council of New York. Order empowering the Auditors to examine witnesses on oath for the discovery of frauds on the King's revenue since November, 1683. Order for a proclamation dissolving the Assembly. [*Col. Papers, Vol. LIX., No.* 49.]

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Jan. 19. **1,102.** Journal of Lords of Trade and Plantations. Paper from the Duke of Albemarle read (*see No.* 1,069). Five Acts of Jamaica read and referred to the Lord Chancellor. Colonel Molesworth's letter of 28 September read (*see No.* 883).

Colonel Stede's letter of 20 October read (*see No.* 923).

Extract from a letter of Captain St. Loe read, touching commissions granted by Governors of Colonies against the Spaniards in America. Agreed to lay it before the King. *Memo.* The King ordered an instruction hereupon, forbidding issue of such commissions.

Letter from Randall Holden on behalf of Rhode Island read. The Lords remark that provision is made for the matter in Sir Edmund Andros's instructions. [*Col. Entry Bk., Vol. CIX., pp.* 44-49.]

[Jan. 19.] **1,103.** Proposals of the Duke of Albemarle. The first seven of those abstracted in No. 1,069. 1 *p. Endorsed.* Read at the Committee, Jan. 19, 1686-7. [*Col. Papers, Vol. LIX., No.* 51, *and Col. Entry Bk., Vol. XXXI., pp.* 249-252.]

[Jan. 19.] **1,104.** Petition of Robert Mason to Lords of Trade and Plantations. The late Court of Massachusetts, though their agents disclaimed all right and title to New Hampshire, refused to record my title thereto. The appeal of William Vaughan against my title has been dismissed. I beg therefore that Sir Edmund Andros may be instructed to inspect my grants and to cause the bounds of my property to be settled, and that the title thereto be recorded, that I may receive no further disturbance. 1 *p. Inscribed.* Recd. Jan. 19, 86-7. [*Col. Papers, Vol. LIX., No.* 52.]

[Jan. 19.] **1,105.** Petition of John Greene to the King. Before I left Rhode Island, one Mr. Richard Wharton and his associates, Captain Elisha Hutchinson, John Saffin, Richard Smith, and John Browne, had given interruption to several towns within the Colony and the King's Province. Since my arrival here I have received letters from Warwick of October 1686, declaring that John Browne still persists in interrupting them in their lands as well as the lands belonging to the town of Providence. I am amazed at their boldness in trenching on your Majesty's interest in the King's province. We thank you for sending out Sir Edmund Andros, and hope that he may do us justice, and we beg for instructions to him to give us relief. *Signed,* John Greene. *Holograph. Large sheet. Endorsed.* Read 19 Jan. 86-7. [*Col. Papers, Vol. LIX., No.* 53.]

[Jan. 19.] **1,106.** Petition of Nathaniel Weare, agent for the inhabitants of New Hampshire, to Lords of Trade and Plantations. Begging for an early hearing of the subject matter of his address, referred to them by Order in Council of 3 July last. 1 *p. Inscribed.* Recd. 19 Jan. Read 10 Feb. 86-7. [*Col. Papers, Vol. LIX., No.* 54.]

Jan. 20. Barbados. **1,107.** The Lieutenant-Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the Council's transactions and of imports. *Signed,* Edwyn Stede,

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Tho. Walrond, Henry Quintyne, Fran. Bond, John Reid, John Hallett, John Gibbes. [*Col. Entry Bk., Vol. VII., p.* 426.]

Jan. 21. **1,108.** Order of the King in Council. Referring the petition of Richard Scott to Lords of Trade and Plantations for report. *Signed,* William Bridgeman. ½ *p. Annexed,*

1,108. I. Petition of Richard Scott to the King. Against several irregular and arbitrary proceedings in the High Court of Chancery of Barbados, in a cause where petitioner's father was plaintiff against Samuel Dyer, and begging for an appeal. 1½ *pp.* [*Col. Papers, Vol. LIX., Nos.* 55, 55I., *and Col. Entry Bk., Vol. VII., pp.* 406, 407.]

Jan. 22. **1,109.** Minutes of Council of New York. The Auditors appointed to examine the accounts brought in their report, which was read to Mr. Santen. He was then told that on finding security for the payment of the amount of his debt to the revenue he might be discharged, but, failing to do so, was remanded. [*Col. Papers, Vol. LIX., No.* 49.]

Jan. 22. **1,110.** Minutes of Council of New England. The King's letters of 9 and 21 October last read, and the Lords of Trade's letter of 24 October. On Mr. Randolph's representation, Boston, Salem, Piscataqua, New Bristol, and Newport were declared the sole ports of entry. [*Col. Entry Bk., Vol. LXIV., p.* 112.]

Jan. 22. Nevis. **1,111.** Governor Sir James Russell to Lords of Trade and Plantations. I am sorry to be obliged to complain of the disobedience of Captain St. Loe, of H.M.S. Dartmouth. On the 19th of April 1686, when sent to cruise for pirates, he sailed to Porto Rico, contrary to orders, and lost two men killed and nearly had his ship sunk, because he could shew no authority from the Governor for going there. At another time he seized an Irish ship with provisions, which was condemned; but notwithstanding the fact that the people here were almost starving, he sent a sloop away without leave, and sold the provisions at St. Eustatia to the Dutch. I then ordered him to Bermuda, to take and seize Bartholomew Sharpe, and thence to sail to Boston to make his ship safe in hurricane-time and to refit. But contrary to orders, he takes Captain Sharpe (who had been most serviceable to the Governor of Bermuda) and his ship, never tries men or ship, but sails for New England, keeping him and eighteen of his men on the Dartmouth, to the great expense of the King's provision, goes to Barbados and cruises thereabout for three weeks for recreation. He then returns to Nevis, nearly two months after the time appointed for him, brings the prisoners but not the ship, which he had laden and manned from the frigate, though not yet tried; and Sharpe and his men are tried before a Court of Admiralty and acquitted for want of evidence. His insolence to me, and his abuses to all Deputy-Governors and Councils of these Islands want a better pen than mine to describe. He has had thirty barrels of powder from me, besides what he brought with him, but still craves for more, though I could not understand how he could have expended above ten barrels. I enclose the trial of a Spanish pirate

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taken by Captain John Bear, to whom Sir William Stapleton gave a commission. The commission was continued on the departure of the frigate from the station. *Signed,* Ja. Russell. *Copy. Endorsed. Annexed,*

1,111. I. Copy of proceedings of a Court of Admiralty held at Nevis, 18 October 1686, for trial of the Spanish ship La Soldad, libelled by Captain John Bear for piracy. Verdict guilty. 7½ *pp.*

1,111. II. Deposition of Sampson Gideon. As to piratical acts of the ship Soldad. *Taken* 17 Jan. 1686-7. [*Col. Papers, Vol. LIX., Nos.* 56, 56I, II., *and Col. Entry Bk., Vol. XLVII., p.* 251.]

Jan. 25. **1,112.** Minutes of Council of Barbados. Sir Thomas Montgomery produced a patent for the office of Attorney-General, and was sworn. The Lieutenant Governor, on the attendance of the Assembly, recommended to them the revision of the laws, and the clearing of the port of St. Michael's. The Assembly submitted the names of the Committees which they had appointed for these purposes, and brought up a bill for settling of the charity given by Mr. Philip Trowell, which was returned to them for amendment. On address of the Assembly, the payment of Mr. Cartwright for transcribing the journals and laws was authorised. Committees of Council appointed to join with those of the Assembly for revising the laws and improving the port of St. Michael's. On petition of the parish of St. Michael's, the Lieutenant Governor sent down a bill for preserving vestries.

Jan. 26. On the petition of the vestry of St. Michael's, 74*l.* 7*s.* 6*d.*, arrears of rates due to it from Fontabelle plantation, was ordered to be paid.

Jan. 27. Sundry payments for repair of fortifications were ordered, as well as 700*l.* for cost of work on the magazine. Orders for rebate of duties to various persons for wine turned "eager" and sour, and for payment of 40*l.* in compensation for two negroes executed. [*Col. Entry Bk., Vol. XII., pp.* 1-12.]

Jan. 25. **1,113.** Journal of Assembly of Barbados. Committees appointed for the revision of the laws and for cleansing St. Michael's harbour. Act concerning Philip Trowell's charity read and passed. Order for payment of 48*l.* to Richard Cartwright. Additional Act concerning vestries passed. Adjourned to 22 February. [*Col. Entry Bk., Vol. XIV., pp.* 164, 165.]

[Jan. 26.] **1,114.** Additional proposals of the Duke of Albemarle. Those numbered 8 and 9 in *No.* 1,069. 1 *p. Endorsed.* Read at the Committee, Jan. 26, 1686-7. [*Col. Papers, Vol. LIX., No.* 57, *and Col. Entry Bk., Vol. XXXI., p.* 252.]

Jan. 27. **1,115.** Minutes of Council of New York. Petition of Joseph Woodham granted; petition of John Campbell referred to the Court of Exchequer; petition of the Mayor and Aldermen of New York granted. Petition of Mr. Santen read. Ordered that his papers, excepting his letters to the King and his charges against

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the Governor, be delivered to him; and that if he will give security for making good his defalcations and 5,000*l.* bond to go directly to England and surrender to the king's officers, he may be set at liberty. Order for a commission for John de Bruyn to be captain in Pinhorne's stead. [*Col. Papers, Vol. LIX., No.* 49.]

Jan. 28. **1,116.** Minutes of Council of New England. Order that, pursuant to the Royal order, no papers or books shall be printed in New England without a licence. [*Col. Entry Bk., Vol. LXIV., p.* 113.]

Feb. 1. **1,117.** Minutes of Council of New York. Order for Mr. Spragge to enquire of Mr. Santen what is done about the excise of tin for the present year. [*Col. Papers, Vol. LIX., No.* 49.]

Feb. 2. Virginia. **1,118.** The Secretary of Virginia to Lords of Trade and Plantations. I send the Journals of Assembly and the Acts lately passed. You might have expected to find among the latter an Act empowering the governor and Council to lay a levy of twenty pounds of tobacco per poll on the inhabitants during the intervals of Assemblies, to be accounted for to the next Assembly. Such an Act would have been a great ease to the people, but even though it was fortified by the King's express directions, the Assembly, notwithstanding the Governor's frequent representations, could not be persuaded to pass it. As little could the Governor prevail with them, though for their own safety, so to form the Militia as to render it serviceable against Indians and foreign enemies and awful to unruly spirits at home. Both measures were deemed necessary, but the easy inclinations of some good men were so wrought upon by the insinuations of ill-humoured spirits that neither of them was passed. You will notice an Act to restrain the planting of tobacco after the last day of June. This stuck long with the Governor, though he was much pressed by the burgesses. He would not have consented to it except in consideration that even if full crops should not be planted by the last of June, the crop this year is too large to carry off, so that the overplus of the present crop will make good the deficiency of the next, and the King's Customs will not suffer. As, moreover, the Act lies before the King for confirmation or disallowance, the Governor allowed it to pass, hoping to sweeten the Assembly to discharge the public debt, which is now nearly three years in arrear. Peace having been made with the Northern Indians, the Governor has disbanded the four standing troops. I hope the peace may last. *Signed,* Nicho. Spencer. *Holograph.* 2 *pp.* *Endorsed.* Recd. 9 May. Read 18 May 87. [*Col. Papers, Vol. LIX., No.* 58, *and Col. Entry Bk., Vol. LXXXIII., pp.* 136-139.]

Feb. 2. Virginia. **1,119.** The Secretary of Virginia to the Lord President. I transmit the laws passed last session; pray make allowance for them. The country is peaceful, with fulness of plenty, and never with greater hope. Thank you for obtaining for me leave of absence. *Signed,* Nicho. Spencer. *Holograph.* 1 *p.* *Endorsed.* Recd. 11 May 87. [*Col. Papers, Vol. LIX., No.* 59.]

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Feb. 2. **1,120.** Report of Lords of Trade and Plantations on the proposals of the Duke of Albemarle (*see No.* 1,069). 1. We cannot advise the payment of a gunner in Jamaica by the Office of Ordnance; if necessary, he should be paid from the revenue of the Island. 2. We think that provision should be made for maintenance of the King's houses out of the Island's revenue. 3. We think that a frigate should be provided for the Duke's passage, and allowance made for all that cannot be carried thereon. 4. The Admiralty Office of Jamaica is fully noticed in the Duke's instructions. 5. We think that the Duke may be allowed to repair to other Colonies for his health, but we cannot, in view of the rule as to half salary, recommend an allowance of 600*l.* a year to the Lieutenant Governor during his absence. Nor can we advise that more than the half salary be given to him from the day of Sir Philip Howard's death; the perquisites must be the Lieutenant Governor's until the Duke assumes the government. 6. We think that Colonel Walker may be added to the Council, and that the Duke, on his arrival, might report on the case of the suspended Councillors. 7. The Duke is asked to bear no more responsibility than that borne by every Governor of a Colony from the first. 8. We cannot advise the despatch of two foot companies to Jamaica, unless a sufficient fund be first provided in the Colony for raising, transporting, and maintaining them. [*Col. Entry Bk., Vol. XXXI., pp.* 253-258.]

Feb. 4. **1,121.** Order of the King in Council. Approving the report of the Lords of Trade and Plantations on the Duke of Albemarle's proposals of February 2 (*see preceding abstract*), excepting that the Duke's claim of half the perquisites be referred to the Commissioners of the Treasury for report. [*Col. Entry Bk., Vol. XXXI., p.* 258.]

Feb. 4. **1,122.** The King to Lieutenant Governor Stede. Ordering Edward Cranfield to be sworn of the Council of Barbados. [*Col. Entry Bk., Vol. VII., p.* 435.]

Feb. 5. **1,123.** The King of France to the Count de Blenac. Ordering the observance of the Treaty of Neutrality of $\frac{6}{16}$ November 1686, and in particular the execution of Articles 14 and 15 against pirates. *Signed,* Louis. *Countersigned,* Colbert. *French. Copy.* 2 *pp. Endorsed.* [*Col. Papers, Vol. LIX., No.* 60.]

Feb. 7. Custom House. **1,124.** Commissioners of Customs to the Lords of the Treasury. We have perused the instructions to Sir Nathaniel Johnson, and find them agreeable to those formerly drawn for other Governors. *Signed,* W. Dickinson, Ch. Cheyne, D. North, Jo. Werden, T. Chudleigh, Sam. Clarke, N. Butler, J. Buckworth. 1 *p. Endorsed.* Recd. from the Treasury. 12 Feb. 1686-7. [*Col. Papers, Vol. LIX., No.* 61.]

Feb. 7. **1,125.** Minutes of Council of New York. Petition of Mr. Santen. The former answer to him repeated (*see No.* 1,115).

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Feb. 8. Judge Palmer's opinion read, that John Smith may be endamaged for meddling with the King's revenue. His reasons for his opinion. Resolved that John Smith is answerable to the King for the sums he meddled with; the Attorney-General to lodge an information against him. [*Col. Papers, Vol. LIX., No.* 49.]

Feb. 9. 1,126. Journal of Lords of Trade and Plantations. Colonel Stede's letter of 17 November as to St. Lucia read (*see No.* 997), also his letter 26 November as to Sir Timothy Thornhill. Agreed to advise that Sir Timothy be brought to speedy trial. Petition of Richard Scott read. Agreed to hear the case on 15 August. A copy to be sent to Colonel Stede.

Draft instructions to the Duke of Albemarle read and approved.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 49-53.]

Feb. 9. Jamaica. 1,127. Lieutenant Governor Molesworth to William Blathwayt. On the 28th January, Captain Spragge returned to Port Royal, having succeeded in the task that I assigned to him, with Captain Banister and three of his consorts hanging at his yard-arm, a spectacle of great satisfaction to all good people and of terror to the favourers of pirates, the manner of his punishment being that which will most discourage others, which was the reason why I empowered Captain Spragge to inflict it. Banister seemed to have no small confidence in his friends. I find from letters that he wrote to some of them that he intended to plead that he had been forced into all that he had done by the French. How far this would have prevailed with a Port Royal jury I know not, but I am glad that the case did not come before one. There are a dozen or so more of this gang under one Kelly, who are gone up the river Nicaragua, and are expected back at the Mosquitos. They will probably be seized by the Indians and sent here in one of our turtling sloops. The Indians owe a great reverence for the King of England, and would not help Captain Spragge until he had shewn his orders and given them written directions how they were to act. Captain Spragge brought other prisoners with him, who have not yet been tried. One of Banister's men was shot dead for refusing to surrender, and two boys who were with him, under compulsion it seems, I have pardoned. [*Col. Entry Bk., Vol. XXXI., pp.* 323-325.]

Feb. 10. 1,128. Minutes of Council of Jamaica. The Governor brought the matter of the parties sent against the rebellious negroes before the Council. The money already expended amounted to 330*l.*, and he had circulated six parties for two months, each consisting of an officer at five shillings a day, a sergeant at half-a-crown, and twelve men at eighteen pence, which amounted to 428*l.* He asked the Board to agree to send out these six at once, instead of prolonging the trouble by sending only single parties. The Council concurred. Order for the parties to be raised, two by Port Royal, two by St. David's, one by St. Andrew's, and one by St. George's and St. Mary's. Every officer to receive forty shillings, every sergeant thirty, and every man twenty, in advance. Colonel Barry promised

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to do his best in the parish of St. Andrew's. Order for instructions for the officers to be drawn up by the military members of Council. Petition of Thomas Griffin, complaining of the capture of his sloop by a Spaniard. Letter of the prisoners at Campeachy, on which the Governor was advised to send for them. Account of money advanced to the Treasury for suppression of rebellious negroes, total 676*l.* Then Colonel Robert Byndloss was called in, and the depositions as to the interloping ship Hawk were read. Colonel Byndloss said that they proved his case. Colonel Barry denied that he knew anything of the affair. Martin Wilkins and William Elletson gave contradictory evidence.

Feb. 11. Account of escheats and of pirates' estates presented. Ordered that the Attorney-General be thanked for his good service in putting down pirates, that the bond of 50*l.* lately belonging to a pirate be given to him, as also the proceeds of the sale of cattle lately taken from another pirate. Order for the preparation of an abstract of the sums due to the King on account of escheats. It was moved that a field officer should be appointed to be commander-in-chief of the parties against the negroes. The Lieutenant Governor said that he would propose it to Major Langley and Captain Orgill. Order for payment of the Provost Marshal, and for collection of fines due to the King. Petition of St. Jago de Castillo, for leave to supply Spanish ships with provisions and produce of the Island. The Governor was asked by the Council to recommend the petition at home, on the understanding that the petitioners should pay customs in England. Rewards were granted to two men for their assistance in seizing the pirate Banister. The Governor reported to the Council the state of affairs in New Providence, and the election of Thomas Bridge to be Governor. A proclamation was ordered for the recall of all men leaving Jamaica for Providence. List of fines due to the King, 1682-1686. Accounts of Jamaica for 1686. [*Col. Entry Bk., Vol. XXXVI., pp.* 145-163.]

Feb. 10. **1,129.** Depositions of Bartholomew Sharpe and John England, that when Sharpe asked Samuel Trott what reason the country had to libel him, and to ask the Governor to call his Commission in question, Trott answered that it was not aimed at him, but that they designed to shoot at the Governor through Sharpe. *Certified copy. Scrap.* [*Col. Papers, Vol. LIX., No.* 62.]

Feb. 10. **1,130.** Minutes of Council of New York. Mr. Santen sent for and ordered to deliver up all bills, bonds, &c., that he has of the King's. In reply to the Governor, Mr. Santen said that he had advised Mr. Richard Rogers not to pay the money in his hands due to the King without an order from the Governor and Council. Mr. Rogers said that he had 140*l.* ready to pay to the King, and 39*l.* outstanding, but that Santen had warned him not to pay it, as aforesaid.

Feb. 11. Major Brockholes being sent to Mr. Rogers, brought back word that he refused to pay the money without an order from the Governor and Council. Order that he pay it accordingly to Mr.

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Delancey, who reported that Rogers refused to pay without an order signed by the Governor and every member of Council, or by Mr. Santen. Order for enquiry whether Mr. Santen had taken any security from Rogers. [*Col. Papers, Vol. LIX., No.* 49.]

Feb. 11. Whitehall. **1,131.** Order of the King in Council. Authorising Lieutenant Governor Stede to proceed with the trial of Sir Timothy Thornhill at the Court of Grand Sessions. *Signed*, John Nicholas. [*Col. Entry Bk., Vol. VII., pp.* 405, 406.]

Feb. 13. **1,132.** Instructions to Sir Nathaniel Johnson, Governor of the Leeward Islands, for the enforcement of the Acts of Trade and Navigation. [*Col. Entry Bk., Vol. XLVII., pp.* 234-241.]

Feb. 14. **1,133.** Minutes of Council of New York. Order for Mr. Santen to deliver all papers relating to the King's revenue that are still with him. Depositions as to the papers seized. Order for the Attorney-General to draw up a bill for the continuance of the revenue, making one witness sufficient proof. [*Col. Papers, Vol. LIX., No.* 49.]

Feb. 14. **1,134.** Minutes of Council of Antigua. Order for an inquiry into an alleged conspiracy of negroes, Colonel Rowland Williams, Captains John Fry and Henry Simes, and Mr. Henry Winthrop to be commissioners for the purpose. Order for pursuit of the remaining negroes by two or three parties of men under Captain Carden, and that the inhabitants keep their negroes from leaving their estates, and allow no drumming or noise therein. [*Col. Entry Bk., Vol. XLVIII., pp.* 95, 96.]

Feb. 15. [Bermuda.] **1,135.** Attestations against Captain Edward Conway, as a pirate. *Large sheet. Endorsed.* [*Col. Papers, Vol. LIX., No.* 63.]

Feb. 15. Nevis. **1,136.** Governor Sir James Russell to Lords of Trade and Plantations. Finding the Dartmouth with no more stores than sufficient to take her home. I have ordered her to the Downs, which I hope will be approved, as it is the result of mere necessity. I have supplied Captain St. Loe with all the powder that I could spare, leaving the forts as bare as safety would permit. Nor can I buy any more than what I have supplied, thirty barrels. I enclose the trials of Captain Bartholomew Sharpe, one for his life and one for his ship, but he was cleared in both. To encourage the King's evidences, I gave three of Sharpe's men chosen by Captain St. Loe the enclosed pardon for their lives. Two refused it, but the third accepted, and gave me such evidence as he could, but to no purpose. An account of my disbursements for the Dartmouth and of the King's share of all seizures made since my coming accompanies this. *Signed*, James Russell. *Endorsed.* Read 19 July 1687. *Annexed*,

1,336. I. Copy of proceedings against Captain Bartholomew Sharpe, at a Court of Admiralty held at Nevis 10 and 12 February 1686-7. 11 *pp. Endorsed.* Recd. 22 March 1686-7.

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1,136. II. Copy of the pardon granted to three of Sharpe's men to turn King's evidence. *Signed*, Ja. Russell. 2 *pp.* *Endorsed.* 22 March 1686-7.

1,136. III. Copy of proceedings against the ship Resolution, captured and libelled for piracy by Captain Bartholomew Sharpe at a Court of Admiralty held at Nevis 3 February 1686-7. Verdict, guilty of piracy. 10 *pp.* *Endorsed.* Recd. 22 March 1686-7.

1,136. IV. Account of disbursements made for H.M.S. Dartmouth, and of money made by seizure of ships. *Signed*, Ja. Russell. 2 *pp.* *Endorsed as the foregoing.*

1,136. V. Account of debts incurred by the Dartmouth, being part of the foregoing account. *Signed*, G. St. Loe. 1 *p.* *Endorsed as the foregoing.*

1,136. VI. A fragment of another account for storage of the Dartmouth's stores. *Signed*, G. St. Loe. *Scrap, endorsed as the foregoing.* [*Col. Papers, Vol. LIX., Nos.* 64, 64I.-VI., *and Col. Entry Bk., Vol. XLVII., p.* 253.]

Feb. 15. **1,137.** Captain St. Loe's receipt for a packet of letters entrusted to him by Sir James Russell. *Signed*, G. St. Loe. *Seal. Scrap. Endorsed.* Recd. 22 April 87. [*Col. Papers, Vol. LIX., No.* 65.]

Feb. 15. **1,138.** Sailing orders of Sir James Russell to Captain George St. Loe. *7th February.* You will make all arrangements to sail with H.M.S. Dartmouth for England on the 12th inst. 15*th February.* You will weigh anchor and proceed direct to England, without stopping at any of the Islands. *Signed*, J. Russell. *Copies.* 1 *p.* *Endorsed.* Recd. 22 April 87. [*Col. Papers, Vol. LIX., No.* 66.]

1,139. Relation of the apprehension and trial of Captain Bartholomew Sharpe for piracy. The charges were for piracies committed at Jamaica in October 1684, and at Campeachy and on the high seas in October 1685. Five witnesses were called, but only one was forthcoming, a mulatto, whose evidence, by a law of the country, was not good against a white person. The bill was, therefore, thrown out by the Grand Jury. Captain St. Loe being dissatisfied, proposed to the Deputy Governor that a pardon should be offered to some of Sharpe's men, and another indictment was preferred against him on 12 February 1687, and the Grand Jury brought in a true bill against him, but the petty jury found him not guilty. 3 *pp.* *Undated.* [*Col. Papers, Vol. LIX., No.* 67.]

Feb. 16. **1,140.** Minutes of Council of Barbados. Order for payment of 18*l.* 6*s.* 8*d.* to William Siston for accommodating the Committee of public accounts. Examination of the evidence of Sir Richard Dutton, in the case of John Daniel. John Farmer, Richard Evans, and Henry Nelson gave their evidence, after which Sir Timothy Thornhill said he would produce no further proof, and that he did not believe Mr. Daniel to be guilty of the crimes alleged by Sir Richard. Witnesses for Mr. Daniel were examined, John Reid, William Howe, William Foster, William Chester, and others; and documents were put in.

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Feb. 17. A committee was appointed to examine the complaints of the Quakers, as set forth in their petition to the King. [*Col. Entry Bk., Vol. XII., pp.* 12-20.]

Feb. 17. **1,141.** Journal of Council and Assembly of Nevis. The Assembly, at the proposal of the Governor and Council, assented that an Act should be made to validate wills which, through the ignorance of testators, were insufficiently attested. The Governor announced that as he intended to go to Barbuda, he would be glad to hear any proposals of the Assembly. The Assembly proposed that it should be unlawful for anyone to retail provisions until they had been imported eight days, and that an Act should be passed to restrain the insolence of negroes. The Governor and Council assented. Order for a joint committee to draw up the necessary Bills. [*Col. Entry Bk., Vol. XLVIII., p.* 126, *and* (*under date Feb.* 15) *pp.* 133-135.]

Feb. 21. **1,142.** Minutes of Council of Jamaica. The Governor reported that two parties were already prepared to march against the negroes, and was asked to issue commissions to the officers. Major Ryves was instructed to pay the advance-money to officers and men, and the rendezvous was fixed and communicated to Major Langley, the commander-in-chief. Arrangements for contributions for the support of the parties and for subsisting them. Colonel Barry gave in his answers to the depositions against him in the matter of the interloping ship Hawk. Order for payment of sundry salaries. Order for any five of the Council to meet and draw up a report as to Colonel Byndloss's business regarding the interloping ship Hawk. Proclamation for the recall of Thomas Bridge and others from New Providence. [*Col. Entry Bk., Vol. XXXVI., pp.* 164-166A.]

Feb. 22. Virginia. **1,143.** Governor Lord Howard of Effingham to the Earl of Sunderland. The Acts, for the King's approbation or disallowance, are sent herewith. My efforts have not been wanting to make them pleasing, but I failed to obtain an Act empowering the Governor and Council to raise a levy of twenty pounds of tobacco per poll without an Assembly. I failed also to obtain a good Militia Act, the burgesses actually refusing to continue the Act of 1684, making the burgesses liable to make good expenditure sanctioned by the Governor and Council on emergency. The Assembly met in much the same temper as when it parted last time, as you will see by their continued exceptions to the payment of the King's quit-rents. When I received the Royal order to repeal laws by proclamation, I hindered them from trenching further on the Royal prerogative, reserving my assent till Bills had passed the Council. I did not receive the King's orders for the dissolution until the 10th or 12th of November, when they were so near a closure that I deferred it till business was finished. I could not have called another Assembly in time to have laid the levy on tobacco before the tobacco would be disposed of. But after the Acts were passed, I read them the King's letters, and told them they were the first Assembly that had been so dissolved by the

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King's special command, and would be, I hoped, the last to deserve it. I ordered copies of the Royal letter to be sent to all the County Courts, that everyone might know of the King's displeasure. I have displaced Beverley from all public employment, but have proceeded no further yet, hoping that this will be a warning to him and to others.

I have suspended Colonel Philip Ludwell from the Council, having great reason to believe him an abettor in fomenting those disputes over which the Assembly was so obstinate. Apart from credible information as to his private meetings with the most refractory members of the Assembly, I observed that he countenanced them both by word and action. I give but one instance out of many. At the first meeting of the Assembly, in November 1685, he seldom attended the Council or General Court, and on my remonstrating, he told me before several of the Council that he had affairs of his own at home, though it was known to the whole Council that he was in Jamestown almost every day. Even when he attended, it was rather to oppose than support the King's interest. After the prorogation, I ordered him to put Major Allen, who had been forward in promoting the dispute between the Assembly and myself on the subject of the Royal veto, out of his office of Surveyor. He thereupon put in Major Swan, as troublesome a man as the other, and that (as I am informed) just for the convenience of Allen, who is a near neighbour. Again, no sooner does the King declare Robert Beverley to be incapable of public employment, but he presently gives, as Mr. Culpeper's deputy, his Surveyor's place, which is the best in the country, to Beverley's son. Again, he was the only person in the Council who argued the least for the undutiful address sent to the King by the Assembly in May 1684, contrary to my order. This conduct he has still more or less pursued, and now so palpably that I could not suffer it any longer. I have waited so long as I have only in the hope that he would be more careful, and from caution lest I should seem to act from private dissatisfaction. On Colonel Bridger's death last spring, I gave him a Collector's place in the hope of gaining him, but since his open display of favour to the friends of Allen and Beverley, I thought it best to displace him from this office, as well as from the Council. When I took the oath of Governor at the Council table, Lord Keeper North and several others asked me if I would not have Ludwell put out of the Council, and if I knew of objections to him. I replied that I knew nothing of him, though I had heard of his opposition to former Governors; but that I had power to displace him if necessary, and should use it. I am satisfied that my reasons will be judged sufficient in the present case, though I now see that the lords who spoke to me knew more of Ludwell's temper than I. I shall appoint Colonel Isaac Allerton to the Council in Ludwell's place, he being ordered in my instructions to be called to the first vacancy. I find his character quite as high as was represented by Lord Culpeper. I am sorry to have written you for two years such unsatisfactory accounts, but I hope they may be better in future. I shall not have so many Assemblies, unless required by special circumstances. *Signed*, Effingham. *Holograph.* 3 *pp. Endorsed.* Recd. 11 May. Read 18 May 87. [*Col. Papers, Vol. LIX., No.* 68, *and Col. Entry Bk., Vol. LXI., pp.* 125-133.]

Feb. 22. **1,144.** Minutes of Council of Barbados. The Assembly presented John Farmer as their Speaker, who was approved. The Governor commended to them the renewal of the Act for an impost on liquors. The Assembly brought up a Bill of Excise.

Feb. 23. The Bill of Excise passed. Order for the trial of George Parris for piracy by the Court of Pleas of the Crown. Orders for payment of Thomas Seawell for two negroes executed, and for payment of six months' salary to the Clerk of Assembly. Sir Robert Davers was granted leave of absence to go to England. Order for publication of the Treaty of Neutrality. John Reid sworn of the Council. [*Col. Entry Bk., Vol. XII., pp.* 21-24.]

Feb. 22. **1,145.** Journal of Assembly of Barbados. Colonel John Farmer elected Speaker. Resolved that Richard Salter be Treasurer, and that his commission be six per cent. Act for an impost on imported liquors carried for a year. The Committee reported as to the cleansing of St. Michael's Harbour. Additional Act for Vestries rejected. The Council's amendments to the Act for an impost rejected, and a Committee appointed for a conference.

Feb. 23. On the report of the Committee, the rate on shipping for the expense of cleansing St. Michael's Harbour was fixed at sixpence. Order for a Bill to empower Commissioners to carry out the recommendations of the Committee. The quorum for the Committee on the laws reduced to three. Adjourned to 17 May. [*Col. Entry Bk., Vol. XIV., pp.* 168-169.]

Feb. 22.
New York. **1,146.** Governor Dongan to the Earl of Sunderland. The continued delay of Mr. Santen in presenting his accounts has delayed Mr. Spragge's departure for England with the Acts for at least twelve months, but I have at last forced his books and papers from him, and by the audit of his accounts he is found to be nearly 3,000*l.* in debt to the King. This is a great hardship on me, coming just when things are in great disorder, and before the revenue was settled. I was, therefore, obliged to spend the little stock I had and to pledge my own credit to satisfy other expenses necessary for the King's service. I refer you to the charge against the Collector, the orders of Council that relate to him, my answer to the heads of inquiry sent to me, and to several other papers referring not only to this but to other parts of America. The Council has been much straitened by the limitation of the number to seven. Mr. Santen was thought unfit to be sworn. Mr. Young is very old, and lives far away; two others are so much engaged with their own business that they cannot always attend Council, and either Captain Brockholes or Captain Baxter must be at Albany. I therefore beg the addition of Messrs. John Palmer, James Graham, Nicholas Bayard, Gabriel Minivell, William Smith, Francis Rumbouts, and Matthias Nicolls, or as many as the King pleases; with some allowance to the Council.

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Such allowance is reasonable if they neglect their own business for the King's. If Connecticut and East Jersey be added, the expense will easily be defrayed by the Government. I beg that Mr. Spragge may be allowed to return here as soon as possible, for he is much needed. My accounts shall be sent to Mr. Blathwayt by the first opportunity. Believe me, I have been a better husband in managing the little revenue of this place than I ever was in any affair of my own. In searching the papers relating to the King's revenue (of which we could not find many), I saw a charge against myself, a letter to the King and a letter to you, which I take the liberty of sending. *Signed*, Tho. Dongan. *P.S.*—I send a petition from the judges here, and beg that something may be done for them, or they cannot live in so expensive a city; also petitions from the French inhabitants and from Judge Palmer, relating to a suit of his in Chancery. I would not spare him to give him leave of absence, so recommend him to you. Since I began this letter, Santen has been so troublesome that I am forced to send him home. I now find that not one of the debts which he pretends to be outstanding will be received; he has either received them himself or they are hopelessly bad. He is very abusive; rogue and rascal are the civillest terms that he gives me or any of the Council, and he threatens us with chains at least, for what we have done to him. I find that there was no letter to you; only one to the King. 3 *pp. Endorsed.* Recd. 9 May. Read 18 May 87. *Printed in New York Documents III.*, 420, 421. *Annexed*,

1,146. I. Names of the new Councillors recommended by Governor Dongan in the letter; with an intimation that he has already appointed Judge Palmer and Nicholas Bayard to the Council. 1 *p. Endorsed.* Recd. from Mr. Spragge, 9 May 1687. Read 18 May 1687.

1,146. II. Petition of Judge John Palmer. Praying remission of a fine of £50 incurred in consequence of the grant to him of the reversion of a farm in East New Jersey. 1 *p. Endorsed as the preceding.*

1,146. III. Petition of the same. Begging for leave to return to England, where there is a Chancery suit depending, wherein he is much concerned. *Signed*, J. Palmer. 1 *p. Endorsed as the preceding.*

1,146. IV. Petition of the French Protestants to Governor Dongan. That masters of vessels, merchants established in the province, and others, may have liberty to go to and fro and trade in all the King's dominions in North America without molestation or difference of treatment from that of British subjects, petitioners recognising the King as their protector, benefactor, and Sovereign. Also that Governors may be instructed to receive and encourage them on their arrival. *Signed*, Jean Bouteillier, pour touts. *Large sheet. Endorsed as the preceding. Printed in New York Documents III.*, 419.

1,146. V. Petition of the Commissioners of the Town of Albany to Governor Dongan. Of late years the French, under pretence of propagating the Gospel among the Indians,

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have encroached greatly on our Indian trade and drawn many of our Indians to their side, whereby the trade of this place is much diminished and the King's revenue obstructed. The only remedy is that your Honour would cause the French priests in the Indian Castles to be removed, and their places supplied by English, according to the repeated requests of the Indians themselves. We beg that this may be done. 1½ *pp.* *Somewhat damaged. Endorsed as the preceding. Printed in New York Documents III.*, 418.

1,146. vi. Copy of the foregoing.

vii. Copy of propositions of the Onandagas and Cayonges. 2 August 1684. 3 *pp.* [*Col. Papers, Vol. LIX., Nos.* 69, 69i.-vi., *and* (*letter only*) *Col. Entry Bk., Vol. LXIX., pp.* 146-148.]

Feb. 22. **1,147.** Minutes of Council of New York. Order for a warrant for the delivery of Lucas Santen to John Wake, for conveyance to England. Bill for defraying the necessary charges of the Government read a first time and amended. Bill against privateers read a second time. Petition of people of Madnand's Neck. Ordered that the Minister of Hempstead preach to them once a month.

Feb. 23. Warrant for delivery of Lucas Santen signed. Act of Revenue read a second time. Mr. Cortlandt reported that Santen said the obligations as to the revenue would be found among his papers. Mr. Swinton reported that Santen refused to say who were his deputy-bookkeepers.

Feb. 24. Return of the inhabitants of Flushing read and approved, so long as the commonage do not exceed 500 acres. Address of the Quakers read. Resolved that no man can be exempted. Revenue Act read a third time. Act against privateers passed. Order for a warrant for the delivery of Pemaquid. [*Col. Papers, Vol. LIX., No.* 49.]

Feb. 23.
New York. **1,148.** Governor Dongan to the Earl of Sunderland. Mr. Santen having been discovered by the Auditors as considerably indebted to the King, and having been convicted by the Council on several other charges, I have suspended him from his office, and send him home under custody of John Wake, commander of the ship Elizabeth and Catharine, to abide the King's pleasure. *Signed*, Tho. Dongan. 1 *p.* *Endorsed.* Recd. 9 May 87. *Printed in New York Documents III.*, 421, 422. [*Col. Papers, Vol. LIX., No.* 70, *and Col. Entry Bk., Vol. LXIX., pp.* 149, 150.]

Feb. 23. **1,149.** Minutes of Council of New England. The question as to the value of foreign coin debated.

Feb. 25. Bills for continuing rates and duties, for giving justices of the peace jurisdiction in disputes to the value of forty shillings, and for establishing courts of justice, read and committed. [*Col. Entry Bk. Vol. LXIV., pp.* 113, 114.]

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Feb. 25. **1,150.** Lords of Trade and Plantations to Lieutenant Governor Stede. Giving notice of the King's Order in Council of 21 January, as to Richard Scott's petition, and ordering the parties to be apprised thereof and depositions to be taken. *Signed*, Jeffreys, Sunderland, Bath, Berkeley. [*Col. Entry Bk., Vol. VII., p.* 407.]

Feb. 27. **1,151.** Warrant for the delivery of the Seal of the Leeward Islands to Sir Nathaniel Johnson. [*Col. Entry Bk., Vol. XLVII., p.* 245.]

Feb. 28. Virginia. **1,152.** Governor Lord Howard of Effingham to the Earl of Sunderland. I have written to their lordships an impartial account of the behaviour of Colonel Ludwell, and of my suspension of him from the Council. My reasons, I question not, will be thought forcible enough. I fear the King may not approve the Act for restraining the planting of tobacco after the last of June, but so much is planted that the ships never want for cargo, and the amount left behind keeps the price low. As the King's Customs will not suffer, the planters hoped that the King might approve. I hear that Lord Baltimore is likely to forfeit his charter of Maryland. If so, and if the King has any thoughts of making it an adjunct to this Government, and of allowing the Governor here a proportionate allowance of salary, I beg you to remember me. I speak with not the least design to the prejudice or dishonour of Lord Baltimore, but if the charter is forfeited, I dare, through your favour, to be a candidate for the post. *Signed*, Effingham. *Holograph.* 1½ *pp. Endorsed.* Recd. and read 18 May 87. [*Col. Papers, Vol. LIX., No.* 71, *and Col. Entry Bk., Vol. LXXXIII., pp.* 139-142.]

Feb. 28. **1,153.** Extract from the foregoing letter, relating to the Act for restraining the planting of tobacco. *Copy.* ½ *p. Misdated.* 26 Feb. 1687. [*Col. Papers, Vol. LIX., No.* 72.]

Feb. 28. **1,154.** Minutes of Council of New York. Order for the audit of the accounts between the Governor and the King by Messrs. Bayard, Graham, and Cortland. Order that they receive £20 each for auditing Santen's accounts. Judge Palmer and Nicholas Bayard sworn of the Council. Mr. Santen again released to give up his bills to Mr. Cortlandt. [*Col. Papers, Vol. LIX., No.* 49.]

Feb. 28. **1,155.** Minutes of Council of Maryland. An order from Lord Baltimore read, granting Mr. William Digges a lease for sixty-one years of his house at St. Marie's. Order for the lease to be drawn accordingly. [*Col. Entry Bk., Vol. LIV., pp.* 84, 85.]

March 1. **1,156.** Minutes of Council of Jamaica. The Governor reported that he had sent H.M.S. Drake to fetch the prisoners from Campeachy. Order for payment of the expenses of their transport by the Treasury. [*Col. Entry Bk., Vol. XXXVI., p.* 167.]

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March 1. **1,157.** Minutes of Council of New England. Order for a Bill to be prepared for regulation of the Indian fur trade. The three Bills brought up on the 25th ult. read a second time. Proclamation continuing certain former rules as to administration of justice. Order for a Bill against pirates to be prepared.

March 3. The three Bills read a third time and passed. Bill against pirates read twice.

March 4. Bill against pirates passed. [*Col. Entry Bk., Vol. LXIV., pp.* 114-116.]

March 2. New York. **1,158.** Governor Dongan to the Earl of Sunderland. The report of my recall is so frequent and from so many quarters that though I have not heard of it from my friends, I am a little surprised to hear it. You know with what disadvantage I was called out of France. The intendant of Nancy has certified that over £5,000 was due to me; and my going to Tangier did not enrich me. I have taken a deal of fatigue to reduce this place from confusion to order, and to raise a revenue to defray the expenses of government, so shall be sorry to be moved from my post just as it begins to be agreeable and easy. I shall cheerfully obey my orders, but it will be hard for me to go home till the King's debts and my own in this place are paid; it will not be long, so I beg that at least I may be continued till that be done. *Signed,* Tho. Dongan. *P.S.*—I have sent one of the Council two or three times to Mr. Santen for the obligations which he pretends to have taken for some of the revenue that is out. His answer is that he has none, and if he had would not deliver them. My opinion is that there is not a farthing out. Pray order that if he has any, he shall deliver them to Mr. Blathwayt. I know he must have three. I hope next year to give a better account of the revenue, having given the management of it to Mr. Graham and Mr. Stephen van Cortlandt, both of them able, honest men. 1½ *pp. Endorsed.* Recd. 9 May. Read 18 May 87. *Printed in New York Documents III.*, 423, 424. [*Col. Papers, Vol. LIX., No.* 73, *and Col. Entry Bk., Vol. LXIX., pp.* 127, 128.]

March 2. **1,159.** Governor Dongan to the King. Mr. Penn has written that I am to be recalled, and I do not doubt that he would do all he can to effect it because I did not consent to his having Susquehanna. I have nothing but what comes to me from you; but when I came here things were in a great disorder, and all that I could make was laid out for your service. If your Collector had done his duty, you would not owe one farthing here; but as it is, he is indebted to you £3,000. I beg that I may remain till I can get this in and pay your debts and my own. I have been a better husband to your affairs than to my own. In my opinion, it would be best to farm the revenue, the expense of so many officers and vessels being very great; but if not, I beg that I may have the nomination of a Collector here. Those who come from England expect to jump into a great estate, which this country cannot afford them. Mr. Spragge, the Secretary, has proved himself a faithful servant to you and a great help to me. His perquisites

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are hardly enough to maintain him and his clerks, so I beg that he may have some yearly allowance, and that he may return here as soon as possible. If Connecticut be annexed to this Government, the province will be of no expense to you. The Collector has made a great bustle that he intends to ruin me, so I send Captain Baxter and Mr. Spragge, who can tell you the truth. I am forced to send the Collector home, and beg that his false stories against me may not be believed. The revenue shall be faithfully managed by Mr. Stephanus van Cortlandt and Mr. James Graham. *Signed*, Tho. Dongan. 2 *pp.* *Endorsed.* Recd. 9 May, from the Treasury. Read 18 May 87. *Printed in New York Documents III.*, 422, 423. [*Col. Papers, Vol. LIX.*, *No.* 74, *and Col. Entry Bk., Vol. LXIX.*, *pp.* 124-127.]

March. 1,160. Governor Dongan to Lords of Trade and Plantations. Answer to the heads of enquiry. 1. The Courts of Justice are the Court of Chancery, consisting of the Governor and Council, the Courts of Oyer and Terminer held once a year in each county, consisting of the two judges and three justices, the Courts of the Mayor and Aldermen, held fortnightly in New York and Albany, the Sessions of the Justices, held twice a year in every county, thrice in Albany, and four times in New York; and a Court of Judicature established by myself, to be held before the Governor and Council, or such others as the Governor may appoint, to decide disputes about land. 2. The laws in force are those called his Royal Highness's laws, and the Acts of the Council and Assembly. 3. The forces are about 4,000 foot, 300 horse, and one company of dragoons. 4. At New York there is a fortification of four bastions, formerly built against the Indians, well situated for the defence of the harbour, on a point made by the Hudson on one side and the Sound on the other. It mounts thirty-nine guns and two mortars. Part of the fort has been rebuilt by me with lime and mortar, and the rest strengthened and rough-cast with lime. I found most of the guns dismounted, but hope to mount them as soon as the mills can saw. There are several repairs still wanting; I am obliged to patch my own or the soldiers' quarters every day. The ground on which the fort stands is about two acres. Though this fortification is so inconsiderable, I wish that there were more of them, for the people increase rapidly, and are of turbulent disposition. "There is a woman yet alive from whose loins there are upwards of three hundred and sixty persons now living." The men born here have generally lusty and strong bodies. At Albany there is a fort made of pine trees fifteen feet high; it mounts nine guns. The timber was renewed this year, but I wish the fort could be rebuilt in stone or lime. At Pemaquid there is another fort of the same kind, of which I can give no description. It is a great expense, for there are always twenty men there in pay, and the cost of sending provisions over four hundred miles is great. If I might, I should ask leave to move this fort further into the country, and that it should be annexed to Boston, New York receiving Connecticut and Rhode Island instead. Connecticut at present takes from us all the valuable land adjoining the Hudson river and the best part of the river itself. Besides, as we know by experience, if Connecticut be

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not annexed to this, it will be impossible to collect the King's revenue. East Jersey should also be annexed to us, or we are like to be deserted by a great many of our merchants, who will settle there. Last year two or three ships came in with goods, and I am sure that East Jersey and West Jersey together cannot consume over £1,000 worth of goods in two years, so that the goods must have been smuggled into New York. Again, under the present arrangement, privateers can come to Sandy Hook and take what provisions and goods they please from that side. The other day, too, an interloper landed five and a half tons of ivory there. To prevent all this, I request orders to erect a fort there. The proprietors of the Jerseys would find annexation an advantage to them, for it would save them the cost of Government. Amboy should not be made a port; one port is sufficient to serve us all. I desire instructions whether I have a right to order all vessels that come to Sandy Hook up to New York, as East Jersey pretends to certain rights. West Jersey should also be annexed, for the same reasons as East Jersey.

The three lower counties of Pennsylvania used to be dependent on New York, and I do not believe that it was intended to be annexed to Pennsylvania, being the King's own land. Mr. Penn has been of great detriment to us herein, by preventing the tobacco from coming here as heretofore. Only one ship comes now for two that came before, beaver and peltry taking up but little space. It is indeed very necessary for the advantage of this place and of the King's revenue that the tobaccos of these countries may be imported here without paying the duty of a penny a pound. We should not then be in such straits for revenue, their trade would increase, and New York would become a magazine for the neighbouring provinces. Care also would be taken that the tobacco should be truly returned to England, as a great deal of it now goes another way. We should have so much regard to the advantage of this port that we should take good care to prevent this. Again, formerly we used to make damaged tobacco, which was not fit to send to England, into rolls, and send it to the Indians in exchange for furs. But now the Indians are obliged to plant tobacco for themselves, or to seek it in some other place and carry their furs thither. The revenue thus loses doubly, first the ten per cent. which the tobacco would pay on going up the river, and, secondly, the duty on the furs that would be brought. Moreover, if Pennsylvania be continued as by charter, it will take in most of the five nations to westward of Albany and the whole peltry trade of that place, to the depopulation of this province. We have lived in peace with the Indians for fifty years; the Indians annexed those lands to this Government forty years ago, and have renewed the annexations with every Governor, Dutch or English, and with myself in particular, who granted them a large consideration for them. They declare that they will sooner live on the other side of the lake than live under any other Government but ours. Attempts have been made, though in vain, to induce some of our traders who speak the language to go and live on the Susquehanna river. The five nations are the most warlike people

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in America, and are a bulwark between us and other tribes. They go as far as the South Sea, the North-West Passage, and Florida, to war. New England would have been ruined in her last Indian war had not Sir Edmund Andros sent some of the five nations to their help, and, indeed, all the Indians are tributary to them. I suffer no Christians to converse with them, except at Albany, and then only with my leave. Since my arrival the people of Boston have made them presents in acknowledgment of friendship, and I was forced to go with Lord Effingham to make the late peace. I enclose what the nations who conquered the Susquehannas requested of the King in Lord Effingham's presence, and I believe that it cannot safely be refused. It has always been a great expense to this Government to keep them well disposed; but it is worth while, for I can have four thousand of their men at call. I cannot believe that the King meant to alienate so large a portion of this province; so if he would run a line from 41° 40′ in Delaware river to the Susquehanna, and let Mr. Penn keep all below, it would be sufficient for him, being reckoned to be larger than all England, besides the lower countries, which is nearly a hundred miles by thirty.

To preserve our fur trade, I would ask leave to build a fort on the Delaware in latitude 41° 40′; another on the Susquehanna, where Mr. Penn's bounds shall terminate, and another at Oneigra, near the great lake, on the way whereby our people go hunting and trading. It is very necessary for our trade and correspondence with the Indians, and for securing our right to the country. The French claim as far as the Gulf of Mexico, but with no other ground than that their priests have lived for twenty years among the Indians. They still have missionaries among the five nations, and have converted many, and have drawn away several to Canada, as they will continue to do, to our great prejudice, unless checked. I have, however, prevailed with the Indians to return from Canada, on condition of furnishing them with land at Serachtaque, about fifty miles above Albany, and furnishing them with priests. I therefore beg that five or six priests may be sent as soon as possible. These Indians have ten or twelve castles (as they term them), all far apart, so that there is need of six priests, half to travel from place to place, and half to live with the Christians. The French priests will then be obliged to retire to Canada, and the French will lose all claim to the country. I find that a very small matter will serve the French for a pretence of right. Thirty years ago the French attacked a castle of the Maquas, containing only old men and women, while the rest of the tribe was abroad at war. The rest of the tribe pursued them to Senectady, where they would have certainly cut off every Frenchman, but for the intercession of a friendly Dutchman. Nevertheless from that time the French fancy that they have a right to the country as far as that place.

Our great dispute with the French here is about the beaver-trade, wherein they have the better of us, and that simply by their greater industry in exploring the country. Before my arrival, no man of New York ever went beyond the Senecas' country. Last year some of them went trading among the Ottawas, about three months' journey west and north-west of Albany, and brought back a good many beavers. They found the people better inclined to trade with them than with the French, who are not able to protect them from our Indians. Last week I sent for some of our Indians to New York, and made them promise to go along with our traders to those far nations, carry back their prisoners, restore them, and make peace. Thus a path may be opened for these far Indians to come with safety to trade at Albany. I hear the French have built a wooden fort on the way thither, and that there are two officers with men occupying them to obstruct our passage. I am sending a Scotch gentleman, Mr. Gregor, with our people, with orders not to disturb the French. Ever since my arrival, it has been no small trouble to keep the Senecas from going to war with the French. Mons. De la Barre was very hot on it, and brought a number of men to Cadaraqui, a place on the lake, with intent to fall on the Indians. Hearing of this, the Indians came to me for leave to enter Canada with fire and sword. I refused; but wrote to M. De la Barre that these Indians were our subjects, that he must not molest them, and that if there were any grievance or dispute I would settle it. I also put up the Duke's, now the King's arms, on the castle at Oneigra. The present Governor, M. Denonville, writes me that he is anxious for good relations between the two Governments, and I hope that he will be as good as his word, though he keeps great stores and five hundred men at Cadaraqui. Last spring he sent one De la Croa with fifty soldiers to the North-West Passage, where, as I am certainly informed from Canada, he took three forts. A thousand men came to Canada from France two years ago with the new Governor, and three hundred the year after, but I am told that they are mostly dead from the cold. We need not fear them so long as the Indians are our friends, and still less if we can persuade the Christian Indians to leave them for us. Last year there was brought to the Governor a list of 17,000 French inhabitants, of which 3,000 fit to bear arms. We must encourage our young men to go beaver-hunting, as the French do. I send a map, by which you will see how the countries lie, and where we must build our forts to secure the beaver trade. It shews also a great river discovered by the Frenchman La Salle, who is said to be returning from France with three ships to settle there. If he does, it will be inconvenient for the Spaniards, as well as for ourselves, for the river runs from the great lakes to the Gulf of Mexico, and it is believed that New Mexico cannot be far from the mountains adjoining it. If you think fit, I could send a sloop or two from hence to discover that river.

5. Connecticut may have 3,000 men fit to bear arms. There are few Indians there. Their trade is small, mostly with Boston, the West Indies, and ourselves, and they have only a ketch or two and a few sloops. The country is very good; plenty of good harbours and two considerable rivers. New London is a very good harbour for shipping. 6. We have always been on such good terms with our neighbours that they desire nothing more than to be part of this Government. Connecticut would far rather join us than join Boston. 7. Answered in No. 4. 8. Our land here is generally

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barren and rocky except on the Susquehanna, and up the country among the Indians. What good land we had by the sea was mostly taken from us by Connecticut and the Jerseys. What is left is pretty well settled. When I came I found little quit-rent reserved, but I have induced a good many people to pay quit-rent. 9. The principal towns are New York, Albany, Kingston, and Esopus; the buildings in the first two are mostly of stone and brick. In the country the houses are mostly new built, two or three rooms to a floor. The Dutch are great improvers of land. New York and Albany live wholly on trade with England, the West Indies, and the Indians. Exports to England are peltry, oil, and tobacco; to the West Indies we export provisions and receive rum and molasses. There are nine or ten three-masted vessels of eighty to a hundred tons burthen, two or three ketches of forty tons, and twenty sloops, all of which trade to England, Holland, and the West Indies, except a few that trade on the river to Albany. 10. This is answered under head 24. 11. A thousand ships may ride here safe from wind and weather. I send a map showing the soundings, from the coming in of Sandy Hook to the northernmost end of the Island. 12. Answered in No. 4. 13. We and our neighbours have sufficient convenience for transporting timber. I will send over boards of what dimensions you please for trial. The three-inch planks I have for the batteries cost me fifteen shillings a hundred feet. 14. I cannot answer at present. I can give no certain account of the number of the population, but am endeavouring to ascertain it. 16. I do not believe twenty families from the British Isles have arrived here for the last seven years. In Long Island, however, the people increase so fast that they complain of want of land. But several French families have arrived here since my coming, from St. Christopher's and England, and many more are expected. Several Dutch families also have arrived, which is another argument for annexing the neighbouring Colonies, to keep a truer balance between British subjects and foreigners. I enclose a petition from the new-come naturalised French. 17, 18. I have not yet had time to ascertain the births, marriages, and deaths. 19. I have answered as to shipping in No. 9. 20. The first obstruction to trade is the hindrance to the importation of tobacco from the three lower counties of Delaware. A second obstruction is due to the want of a King's officer at Newfoundland; formerly our sloops went thither with provisions, and brought back fish, which was sent to England, to pay for English goods. We have made several rules of our own for the regulation of trade, the chief being that no goods, the produce of Europe or the West Indies, be imported, except from England or such part of the West Indies where such commodities are produced, without paying a duty of ten per cent. to the King. 21 is already answered. 22. The revenue is collected by an impost on liquors and by a duty of two per cent. on all imports, excepting certain specified goods, which pay 10 per cent.; on every barrel of powder twelve shillings, on every hundredweight of lead six shillings, and every gun or gunbarrel with a lock six shillings. There is also an Excise, and an export duty on furs. Quit-rents at my arrival were inconsiderable, Sir Edmund Andros having reserved few, but I have contrived to increase them. The revenue officers are Mr. Lucas Santen, Collector; John Smith, his deputy, whom he brought from England; and John Hatlow, his servant, who is waiter and searcher.

I gave orders to Mr. Santen that he must make no journey into the country on pretence of the King's business, and thereby put the country to expense, but inform me, who would get the matter looked to by the sheriff or justice on the spot. I went up to Albany myself to settle matters there, and made one Robert Livington Collector and Receiver, with orders to account to Mr. Santen for the money that passed through his hands, and a promise of a shilling in the pound thereon for his emolument. At Esopus the Collector, Thomas Garton, had been put in by Mr. Santen, but had sent him no accounts for the past three years, as I now discover. I therefore sent for him, when all the accounts that he could produce was a scroll with a confused account of about £200, his story being that his accounts and papers had been accidentally burnt. All that I could get from him, therefore, was a bond for £200. I have since set the excise of that county alone at £110. I have no account from Richmond County, and in West Chester county Mr. Collins, the Collector, has given no account. Mr. Santen tells me that he took two bonds from him for money payable in March next, but I look upon that as nothing. The revenue of the county is lost. The first year £52 was offered for the excise of Long Island, which I thought unreasonable for the best peopled place within the Government, so I gave a commission to Mr. Nicholls and Mr. Vaughan to collect it, agreeing to let them have £40 and account to Mr. Santen for the rest. For the last two years one Henry Filkin has been Collector, with £30 a year. The people there are refractory, and loth to have any commerce with New York, hence the law imposing ten per cent. on all imports not the actual produce of the colony which exported them. They thought it a hardship to have to come here to clear, so I allowed them a port, and appointed Mr. Arnold Collector, with £52 a year. But notwithstanding this, the people would not trade with our merchants, but preferred Boston. I therefore ordered that all ships for Boston should first enter and clear here, and I have a bark with soldiers on board to cruise there.

The first year I left everything to Mr. Santen, but finding things ill-managed, I gave him several warnings, but with ill return for my kindness. At the end of the first year I asked for his accounts for audit, which he promised me from time to time, but always flew into a passion at the mention of money or accounts. I therefore forbade him my presence, and receiving no more satisfactory answer to messages sent through my Secretary, I brought him before the Council, where he was often ordered to produce his accounts, but without result. At last the accounts came, and the Council was greatly surprised to find the revenue for eighteen months amount to little more than £3,000. Examination shewed a number of frauds, which were proved against Santen. I then ordered him to remove John Smith from his post of Surveyor of the Custom House, believing in charity that this man had cheated him, but he would never comply. Smith then grew insolent, and put Santen upon worse measures, on which Santen was turned out of the Council. John Hatlow, who was Waiter and Searcher, has, I am told, applied to the English Custom House for the post of Collector here. His charges for expenses of travelling are, as you will see, extravagant, and as he would produce no warrants, I put in one Larkon, who was turned out by Santen for not obeying an order of his. As we proceeded with Santen's accounts, we ordered him, for greater check thereon, to give in a weekly account every Saturday, but this order also he disobeyed. Repeated orders to have his accounts ready to send home by this bearer were equally disregarded, he alleging that his accounts ought not to be audited here. I took a different view, and was supported by the Council.

Finally charges were formulated against him, and the Council, as you see, says positively that he has been an unfaithful servant to the King. I tried to persuade him to give security for the balance due from him and for his better behaviour in future, but to no purpose, for he continued obstinate. I still forbore anything public against him until the second audit, when at last he brought in his books, unsigned, but refused to leave them. They were, therefore, copied, and after much ado signed, when he also brought in another account, which is extravagant beyond conception. The auditors desired to have his papers to compare with his books, and as he refused to give them, they were seized, and he was suspended from his office of Collector. Among his papers were found charges against myself, which are wholly false. It is true that the poor gentleman since his arrival has been troubled with three or four hypochondriac fits, and was in one of them when the names of the Council arrived here, so that it was thought inadvisable for the present to swear him. He has no more skill for business than a child; and I believe that if I had not watched the revenue carefully, the loss would have been greater than it is. In his commission he is allowed £200 a year, as Dyre had in Sir Edmund Andros's time, of which £100 was for his officers. I refused to increase this allowance, but Santen insisted that his salary was meant to be sterling, and to make it so he charged thirty-three per cent. advance and a hundred pounds for his officers. He wished Smith to have £140 a year besides his salary as Surveyor, and Hatlow £90 a year and £160 for two voyages to England with despatches. Yet with all this he has never paid them their salaries. Again, he bought a rotten little sloop for the King's service, for which he charges £700, though not worth £30. Again, though he is forbidden by his instructions to trust out the King's money, I was forced to take notes from him to the amount of £800. He has been negligent in taking bonds from masters of ships, and has behaved ill in the matter of interlopers. The debts which he claims before the auditors have most of them already been received by him, and the rest will never be collected. Even by his own confused accounts he is over £1,750 in debt to the King, which is all gone, as well as his salary and perquisites. He is uniformly abusive to the Council, but of that we take no notice, and he is very troublesome in his management of the Customs. I have made my statement against him as moderate as possible, for I bear him no malice.

Now as to the expense of the maintenance of the Government to me, and what will be requisite for its future support. It was hard upon me when I came to find no regular revenue established, the forts in bad condition, three garrisons to maintain, a dispute with Canada over the beaver trade, inland country and the beaver trade to purchase, with a long journey up the Hudson river and inland, great expenses over the first sitting of the Assembly, over the entertainment of Lord Howard of Effingham, Mr. Penn, the Commissioners from Boston, Connecticut, and East and West Jersey, the tracing of the boundary between this and East Jersey and Connecticut, and finally the expense of the establishment here. I send an estimate of the constant expenses of the Government, including allowances for the Council, Judges, and Attorney-General, which, though not at present allowed, at any rate ought to be. The Councillors give up much time for nothing, and the salaries of the judges are too small. The charge is heavy, but there would have been no debt if Santen had done his duty. The revenue is paid without grumbling, but unless Connecticut be annexed, the Government can hardly be selfsupporting. Mr. Santen charges me with covetousness in not making greater allowances to officers. Niggardly I have not been, but the revenue has been small to meet the current charges. I have not only disbursed my own small perquisites, but have pledged my credit and even pawned my plate for the King's service. I have even now sent some of it home to pay my debts, and to provide clothes for the soldiers.

I now proceed to answer Mr. Santen's charges against me. 1. The charge of co-partnership in a trade with France is disproved by the testimony of Mr. John Spragge and Mr. Gabriel Miniell annexed. 2. The charge of co-partnership in trade to Newfoundland is disproved by Major Brockholes' testimony, annexed. 3. I never had any share in privateers, nor in the wreck. See the evidence of Messrs. Flipson and Breakman. 4. I have no share in Mr. Antill's vessel, though I hold it as security for a debt. 5. This is disproved by Mr. Beckman's testimony. 6. I know not who were the appraisers who undervalued the condemned sloop Lanhater. I made no profit out of it. 7. I did not order Lord Nial Campbell's goods to be entered and stored without examination. 8. The Scotchman who stabbed a Custom House officer was released on that officer's intercession, and not acquitted by me. 9. Mr. Santen, in one of his fits, took to issuing his own warrants, which, of course, were not executed, but sent to me. 10. I have already said enough as to any alleged covetousness and pinching of officers. 11. I did agree about the Excise of Long Island, as I have said before, but I never received any money for licences, either from Nicolls or Vaughan. 12. I dismissed Richard Pretty from the Surveyor's place at Albany, because being Sheriff he would not attend to his work. I put in William Shaw in his place, because he had a good reputation as an officer. 13. I have already explained why I dismissed John Smith from his office. 14. I did not sell the pasture at Albany, for it is not the

King's. The town of Albany belonged to the Rensselaers, whom I persuaded to release their claim thereto, and then passed a patent for it to Albany, reserving only a small plot of this pasture for the garrison. They did not give me £700 for it; I am promised only £300, which is nothing like the amount of my perquisites, viz., ten shillings for every house, and for every hundred acres. 15. I gave Judge Palmer a lease of the reversion of a farm of the King's in East Jersey, because it was a constant source of dispute with East Jersey, and it was more convenient to part with it than keep it. 16. As to the charge that I alienated property belonging to the inhabitants of Hempstead, the Surveyors decided that it was not their property. 17. The Attorney-General has received fees for renewal of patents by the inhabitants. In the old patents there was no acknowledgment to the King; the new ones, which were cheerfully taken out by the people, reserve him a quit-rent. 18. As to Mr. James Graham, as Recorder, prevailing with me to give the city all waste ground, to the injury of the inhabitants, the waste ground in question is a dock reclaimed from the sea by the inhabitants themselves. Besides these charges, there are memorandums of others which Mr. Santen intended to prefer against me. I shall deal with these briefly and at once. I never refused Santen a list of the quit-rents, and I have never drawn corn from the King's granary without accounting for it. Judge Palmer and Mr. James Graham have been good and faithful public servants, though they may not be agreeable to Mr. Santen. Santen's accusations as to sloops that go hence to Newfoundland is due to a quarrel between him and Major Brockholes, when he maliciously seized the Major's sloop and was compelled by me to restore it. The story of the rest of the sloops may be summed up in a few words.

I now resume. Answers to queries 23 and 24. New York has four ministers, an Anglican, a French Calvinist, a Dutch Calvinist, and a Dutch Lutheran. There are few Anglicans or Roman Catholics; plenty of Quaker preachers, singing Quakers, Ranting Quakers, Sabbatarians, Anti-Sabbatarians, Anabaptists, Independents, Jews. In short, there are some of all sorts of opinions, while the most part are of none at all. The great church, which serves both English and Dutch, is inside the fort. This is very inconvenient, so I desire an order to build another. The ground is laid out and the money is ready. Dutch Calvinists are the most numerous sect. 25. People bring up their children in their own faith, but take no care to convert their slaves. Every town and county is obliged to maintain its own poor, and there are no idle beggars or vagabonds; but I find it a hard task to make the people of Long Island and other parts pay their ministers. *Signed*, Tho. Dongan. *Postscript.*—Since writing the above, I have found some memorandums of Sir Edmund Andros that he actually went out with an armed force to annex Connecticut in 1676, so convinced was he that this was necessary for New York. It is far more necessary now that we have lost Delaware and the revenue that Sir Edmund Andros had from the Jerseys. I therefore plead again for the annexation of Connecticut. I have to report that I have ordered vessels bound to Amboy to come here to clear. I hear

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that the people of Pennsylvania had more than two hundred packs of beaver brought down by the Indians last year, and will have more this. If this goes on this Government cannot be expected to support itself. I have, after much opposition from Mr. Santen, recovered £140 out of £190 due to the King by one of Santen's service. It was necessary to put him in prison before he would pay. I have also caused John Smith to be arrested for the public money that he has received on pretence of salary. Santen has been so abusive and unruly since his arrest that we are forced to send him home. I give a list of the present Council and of the new members that I recommend. 79 *pp.* *Endorsed.* Recd. 9 May 1687, per Mr. J. Spragge. [*Col. Papers, Vol. LIX., No.* 75, *and Col. Entry Bk., Vol. LXIX., pp.* 1-117.] *Annexed,*

1,160. I. Charges of Lucas Santen against Governor Dongan. 20 *pp.* *These may be gathered from the foregoing abstract.*

1,160. II. Certificate of John Spragge and Gabriel Miniell, that Governor Dongan had never made any proposal to them as to a direct trade with France. Sworn 22 Jan. 1687. ½ *p.* *Endorsed.* Recd. from Mr. Spragge, 9 May 87.

1,160. III. Testimony of William and John Beckman, contradicting Santen's charges as to Dongan's exaction of a snare in a vessel, and of excessive sums for the condemnation of the ship Bachelor's Adventure. 1 *p.* *Dated and endorsed as the preceding.*

1,160. IV. Petition and appeal of Lucas Santen for the return of the papers seized from him; with order of the Governor of New York in Council, that the papers shall be returned except the charges against the Governor and the letters to the King and Lord Treasurer, &c.; and granting Santen permission to sail to England on giving security to pay the money due to the King and a bond in £5,000 to surrender to the King's officers on arrival. 2½ *pp.* *Endorsed.* Recd. 18 May 87.

1,160. V. Petition of John Palmer and Matthias Nicolls, Judges, to Governor Dongan; asking for an increase of salary, £100 a year being insufficient. 1 *p.* *Endorsed.* Recd. 18 May 87.

1,160. VI. Deposition of Anthony Brockholes. Denying Santen's charge that Governor Dongan was concerned in a direct trade to Newfoundland. Sworn 28 Jan. 1687. 1 *p.* *Endorsed.*

1,160. VII. Petition and last appeal of Lucas Santen to the Governor of New York in Council. For return of his papers, and leave to go to England. *Endorsed.* Copy of order of the Governor in Council of 3 February 1687. His papers shall be returned, with the exceptions aforenamed, and he can go to England on the terms already mentioned to him. *The whole.* 1½ *pp.* *Endorsed.* Recd. 18 May 87.

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1,160. VIII. Deposition of William Nicholls. Contradicting Santen's statement that Governor Dongan had received money from him for licences. Sworn 12 February 1687. ½ *p.* *Endorsed.* Recd. 9 May 1687.

1,160. IX. Affidavit of Joseph Throckmorton. As to rough treatment of his vessel by Captain Crofts, of H.M.S. Deptford. Sworn before N. Bayard, Mayor, 4 March 1687. 1 *p.* *Endorsed.* Recd. 9 May 1687.

1,160. X. Complaint of Francis Richardson to the same effect as the preceding. 1 *p.* *Endorsed as the preceding.*

1,160. XI. Petition of John Smith to Governor Dongan. For release from prison and freedom to go to England to justify himself against the charges of the Attorney-General. 1 *p.* *Endorsed as the preceding.*

1,160 XII. Note of Lucas Santen for 1,115 gallons of rum paid in at New York. 1 *p.* *Endorsed.*

1,160. XIII. Articles exhibited against Lucas Santen. 13 January 1686-7. *Twenty-seven large sheets.* *Endorsed.* Recd. 29 April 87. [*Col. Papers, Vol. LIX., Nos.* 75, 75I.-XIII.]

March 3. **1,161.** Lords Proprietors of Carolina to Governor James Colleton. We learn that a hundred and fifty-three Spaniards, Indians, and Mulattos have fallen upon the outskirts of our settlement, and burnt and plundered seven houses. We hear that the reason is that, notwithstanding the King's commands and our repeated orders, the people of Carolina have received the pirates who have unjustly burned and robbed the houses of the Spaniards. Could any rational man doubt that the Spaniards would seek revenge, and would be justified in seeking it, if this be true? We have also been informed that a design was on foot in Carolina to take St. Augustine, which our Government was ready to countenance, being persuaded that they were justified by our clause permitting invaders to be pursued beyond the bounds of our province. But that clause means only a pursuit in heat of victory, not a granting of commissions and a deliberate invasion of the King of Spain's dominions. You will cause this explanation to be recorded. If the Spaniards invade you, defend yourselves, and by a brisk pursuit of them in the present heat of victory, give them cause to repent their attack. If they or any other Christian nation injure you, let the proofs be transmitted to us, and we will apply to the King for reparation for damage done. But no rational man can suppose that the subjects of any prince can be permitted to make war upon any of his allies for the reparation of their private injuries, or for any other cause whatever, or that any such power was granted by our patent. We have received copy of an Act to levy and impress men and arms for the defence of the Government, in the preamble of which it is said that the Spaniards who invaded you were commissioned by the King of Spain. The name of so great a prince is thus mentioned on the information of a single mulatto, and without your having seen any such commission, or sent to St. Augustine or Havana to ascertain if the Governors knew anything of the invasion. We have reason to believe that the King of Spain knew nothing of it, and we dissent to the Act and to all

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Acts and Orders made with a view to war with Spain. We see by the Minutes of Council that there was evidence that Mr. John Boone had not only helped the pirates Chapman and Holloway with victuals, but had taken and concealed part of their stolen goods, for which he was rightly expelled the Grand Council. But we hear since that he is again chosen, and is sitting in the Grand Council. This must not be. Men convicted of such misdemeanours must not be chosen again and restored. You will put him out, and see that another is chosen in his place. We are sorry to see the proneness of the Parliament of Carolina to such proceedings, and hope that they will not occur again. *Signed*, Craven, Albemarle, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., pp.* 106, 107.]

March 3. **1,162.** Lords Proprietors of Carolina to Governor James Colleton. We hear that it is insinuated by certain persons in Carolina that the Constitutions of 21 July 1669 are the only constitutions in force in the Colony. To put an end to all disputes, we inform you that before we undertook the settlement of Carolina, we formed a Constitution, whereby we parted with as much power as might secure the inhabitants from oppression, and gave them a considerable share in the administration. But owing to the employment of the proprietors in great affairs of State, the Constitutions were not ready in time to be despatched by the ships of that year. It was thought best, however, to despatch the ships, though the Constitutions were not perfected, and to send out a Royal draft of them, so far as they were complete, to show our intentions, and to serve for a temporary form of government. He was ordered to make use of them for the present, if the completed Constitution should not overtake him. Owing to the King's making a progress and the proprietors being obliged to attend him, the Constitutions were not perfected until the following winter, but were finally signed and sealed on 1 March 1669-70. Of those sent out in the previous year not so much as a copy was kept. We do not own them as the Constitutions of Carolina, except for the temporary purpose above-named, nor have we given any order to put them in execution. As to those of 12 January 1681-2, they differ little from those of 1 March 1669-70. If there be anything in them detrimental to the people, we shall be willing to consider it, and if necessary, alter it. Our intentions in the original changes were for the good of the people, and, we are told, have been acknowledged to be so by the very men who have made the greatest stir in the matter. There would be no satisfying them except by yielding altogether to their ambition. The Constitutions of 21 July 1669, therefore, are nothing, as we have explained above. *Signed*, Craven, Albemarle, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk. Vol. XXII., pp.* 108, 109.]

March 3. **1,163.** Lords Proprietors of Carolina to Lord Cardross. We have seen your letters complaining of ill-usage in Carolina, and regret that any should have forgotten the respect due to your quality. We disapprove of their ill-behaviour, and believe that they are now sensible of their error. We shall, in fitting time,

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apply to the King for reparation for the damage done by the Spaniards. *Signed*, Craven, Albemarle, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 109.]

March 3. **1,164.** Act of Carolina for restraining furnishing privateers, passed 23 November 1685. Ratified by the Proprietors, 3 March 1686-7. *Signed*, Craven, Albemarle, Bath (for Lord Carteret), P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., pp.* 110-112.]

March 3. **1,165.** Instructions to James Colleton, Governor of the Province of Carolina, South and West of Cape Fear. These include orders to arrest Governor James Moreton to answer the complaint against him of encouraging privateers (3); to arrest Robert Quarry if one Browne, whom he entertained, prove to be not a trader but a pirate (4); and several more relating to the harbouring and abetting of pirates. *Signed*, Craven, Albemarle, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., pp.* 103-105.]

March 3. **1,166.** Minutes of Council of Maryland. Evidence given as to the alleged treasonable words used in reference to the Duke of Monmouth. A letter was produced from Mr. Robert Cooper as to an endeavour to make him swear falsely in the case of Mr. Blakiston. Order for enquiry into the matter. [*Col. Entry Bk., Vol. LIV., pp.* 85-88.]

March 4. **1,167.** Lords of Trade and Plantations to Governor Sir Nathaniel Johnson. Ordering him to appoint suitable places for the riding of ships and the shipping of produce; also to ascertain the value of sugar, and take care that it is not accepted in payment of the King's revenue at an excessive rate. *Signed*, Sunderland, Peterborough, Bath, Craven, Powis, Plymouth, Preston, N. Duresme. [*Col. Entry Bk., Vol. XLVII., pp.* 249, 250.]

March 5. **1,168.** Minutes of Council of Maryland. Judicial business. Order for adjusting the boundaries of Virginia and Maryland at Asseateague Island, on the Eastern shore. [*Col. Entry Bk., Vol. LIV., pp.* 89, 90.]

March 7. Virginia. **1,169.** Robert Beverley to William Blathwayt. Forwarding copy of the Journals of the House of Burgesses up to date of dissolution on 17 November 1686. *Signed*, Robert Beverley. ½ *p. Endorsed.* Recd. 9 May 87. [*Col. Papers, Vol. LX., No.* 1.]

March 7. **1,170.** Minutes of Council of Maryland. Richard Jones appointed Coroner of Kent County.

March 8. Order for the prorogation of the Assembly. Copy of the proclamation for the purpose. Order for the survey of Asseateague Island by Colonel Lowe and Colonel Digges. James Heath appointed Clerk of the Assembly, by Lord Baltimore's order. Commissions for Captain Brande's troop of horse ordered.

March 9. Nicholas Lowe appointed Coroner of Talbot County. [*Col. Entry Bk., Vol. LIV., pp.* 90-93.]

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Jamaica.

1,171. The Council of Jamaica to Lords of Trade and Plantations. On receipt of your letter of 6 July last, the Lieutenant-Governor called a Council, giving notice to Colonel Robert Byndloss to be present, to enquire into Byndloss's accusations respecting the interloping ship Hawk. Powers were given to two justices of the peace to examine upon oath all witnesses called by Byndloss. A second Council was called when Colonel Byndloss was present; a report whereof was made which seemed to us to be taken *ex parte*, Colonel Barry, who is mentioned in the same, having received no notice to attend. The depositions were taken and are herewith enclosed [*wanting*]. You will see that they are inconsistent with themselves, and in some respects contradictory, though in the main they lay a very positive imputation against Mr. Beeston and Mr. Rainesford Waterhouse, of being concerned in the cargo if not in the ship, but these gentlemen not being here to answer for themselves, we must consider them as the depositions represent them until they can acquit themselves before you. William Elletson and Martin Wilkins appeared before us, and their evidence is enclosed. Colonel Barry also declared before us that he was in no way concerned with the ship, and Colonel Byndloss said that he believed he was not. However, Colonel Barry asked leave to answer what related to him in the depositions, and presented a written statement to us. The number of negroes concerned does not seem to us to have exceeded seventy. We should have gone into this matter without your order had Colonel Byndloss given us earlier notice. *Signed*, Cha. Modyford, J. Fuller, Jo. Cope, John Bourden, John White. 3 *pp.* *Endorsed.* Recd. 2 June 87. *Enclosed,*

1,171. I. Deposition of Martin Wilkins, taken 10 Feb. 1686-7. Denying that he ever had an order from Mr. Beeston to receive negroes from the ship, or that he did receive them. *Certified copy.* ½ *p.* *Endorsed.* Recd. 2 June 87.

1,171. II. Deposition of William Elletson. That he heard Wilkins say that he had Mr. Beeston's orders to receive negroes from the ship, and did receive two. Taken 10 Feb. 1686-7. *Certified copy.* ½ *p.* *Endorsed as the preceding.*

1,171. III. Statement of Colonel Samuel Barry. I am charged with being one of the four owners of the interloping ship Hawk. The whole of the evidence against me is contradictory, as I shall proceed to show. I deny that I had any share in the ship, nor sold any of her cargo for myself or Colonel Beeston. The ship was not consigned to me. Moreover, I was not present when these depositions were taken. If Colonel Byndloss knew of any malpractices here why did he not complain to the Governor, instead of sending home malicious letters? Had he given information when the ship was at Port Maria and the captain at Sir Henry Morgan's house close by, feasting on a fat guinea goat, then the Government could have made some use of his services. Byndloss has never forgiven me for supporting the authority of Sir Thomas Lynch against him, and his inveteracy against Sir Thomas is shewn by the disrespectful tone of his letter. *Signed*, Saml. Barry. 3 *large pages. Endorsed.* Recd. 2 June 1687. [*Col. Papers, Vol. LX., Nos.* 2, 2i.-iii., *and* (*without enclosures*) *Col. Entry Bks., Vol. XXXII., pp.* 21-24, *and Vol. XXXVI., pp.* 167-169.]

March 8. **1,172.** Minutes of Council of New England. The Committee, on the revision of the laws, proposed that several of the existing laws should be continued. Order for preparing bills accordingly. Bill for preventing Indians selling land passed, with a clause disqualifying Englishmen from trusting them to the extent of more than ten shillings. Order for exemption of the inhabitants of New Bristol from the rate lately imposed in consideration of their purchase of Mounthope Neck. The King's order as to foreign coin read, certain merchants called in for consultation thereon, and an order issued fixing the value of pieces-of-eight. Order for continuance of existing justices of the peace, and of all local laws not repugnant to the laws of England, and for publication of the King's declaration of indulgence, and of the new laws passed by Council. [*Col. Entry Bk., Vol. LXIV., pp.* 116, 117.]

[Mar. 8.] **1,173.** Abstract of the depositions enclosed in the foregoing despatch. The originals are wanting. 5½ *pp. Endorsed.* [*Col. Papers, Vol. LX., No.* 3.]

[Mar. 8.] **1,174.** Abstract of Colonel Barry's answer (*see No.* 1171iii.). 1¼ *pp. Endorsed.* [*Col. Papers, Vol. LX., No.* 4.]

March 9. **1,175.** Minutes of Council of Antigua. Order for a file of men from each company to pursue the runaway negroes, said to be forty or fifty strong and armed with guns, in the mountains, and take them dead or alive. Order for mounted patrols on Saturday afternoons and Sundays to take up all negroes that they meet with who have not tickets. [*Col. Entry Bk., Vol. XLVIII., p.* 99.]

March 10. **1,176.** Journal of Lords of Trade and Plantations. Draft proclamation for suppression of pirates read and approved. Instructions ordered for the Duke of Albemarle to secure pirates' goods. Colonel Molesworth's letter of 5 November read, as to quit-rents. Order for an additional instruction to the Duke of Albemarle to discover the quit-rents.

A paper from Sir Nathaniel Johnson read (*see No.* 1,178). Agreed to refer it to Mr. Pepys.

Sir John Hoskyns's petition read *(see next abstract)*, and reserved for consideration.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 54-59.]

[Mar. 10.] **1,177.** Petition of Sir John Hoskyns. The late King was disposed to favour my petition for the grant of Ascension, Trinidad, Santa Maria, Martin Vaz, and dos Picos, islands lying about twenty degrees east of Brazil. I beg the grant of them from your Majesty. *Signed*, John Hoskyns. 1 *p. Endorsed.* Read 10 March and 15 June, 1687. [*Col. Papers, Vol. LX., No.* 5, and *Col. Entry Bk., Vol. C., pp.* 14, 15.]

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[Mar. 10.] **1,178.** "Memorandum touching the French and Indians in the Leeward Islands." There is a fort at Nevis under which the French sail daily to and from their own part of St. Christopher's. On sight of any shipping the King's flag flies on this fort, but the French refuse to salute it, whereupon Sir William Stapleton has fired at them. Complaint has been made but no order has been given, though the late treaty makes it the more needed. There are also many hostile Indians intermixed with the French at Guadeloupe, who frequently make descents and inroads upon the English, and are supplied with ammunition by the French. Should not new instructions be added, in view of the late treaty, to answer the following difficulties? 1. Whether the English may pursue the hostile Indians to Guadeloupe or any other place where they mix with the French. 2. Whether they may kill or make prisoners of such French as protect them. 3. Whether the supplying of those Indians with arms by the French be not a breach of the treaty. 1 *p.* *Endorsed.* Read at the Committee, 10 March, 1686. [*Col. Papers, Vol. LX., No.* 6.]

[Mar. 10.] **1,179.** Draft of the foregoing, as far as it relates to the saluting of the flag, with corrections; with an addition stating that Sir Nathaniel Johnson begs for instructions. 1 *p.* *Endorsed.* Dd. to Mr. Pepys. May, 1687. [*Col. Papers, Vol. LX., No.* 7.]

March 10. **1,180.** Lords of Trade and Plantations to the King. As to the proposals of Sir Nathaniel Johnson, Mr. Pepys will promise a regulation as to salutes according to agreement made between the two nations. As to the trouble with the Indians, we do not think that the English can pursue the Indians when they take refuge within the jurisdiction of the French, but may pursue them elsewhither and destroy them, together with those that protect them. As to the supply of arms to Indians by the French, it is forbidden by the third article of the Treaty of Neutrality. [*Col. Entry Bk., Vol. XLVII., pp.* 246, 247.]

March 11. **1,181.** Lords of Trade and Plantations to the Secretary of the Leeward Islands. Ordering the transmission of quarterly returns of the transactions of his office. *Signed,* Sunderland, Craven, Peterborough, Bath, Powis, Plymouth, Preston, N. Duresme. [*Col. Entry Bk., Vol. XLVII., pp.* 242, 243.]

March 11. **1,182.** The same to the Governor and Council of the Leeward Islands. Ordering transmission of quarterly returns of the transactions of Council of imports and exports. *Signed as the preceding.* [*Col. Entry Bk., Vol. XLVII., pp.* 244, 245.]

March 12. **1,183.** Minutes of Council of New England. The four acts already passed, and the proclamations as to foreign coin and local laws were published with trumpet and drum. [*Col. Entry Bk., Vol. LXIV., p.* 118.]

March 13. Whitehall. **1,184.** Minute of Lord Middleton. Referring three papers concerning Tobago from the Duke of Courland's envoy to Lords of Trade and Plantations for report. *Signed,* Middleton. ½ *p.* *Endorsed.* Recd. 12 April. Read 13 April. *Annexed,* 1,184. I. "An impartial account of the true state of the case concerning the Island of Tobago." The late Duke Jacobus of Courland bought the island from the Earl of Warwick, with consent of King Charles I., and enjoyed it for many years, till a wealthy Zealander, taking advantage of the Duke's imprisonment during the war between the Swedes and the Poles, dispossessed him of it. The Duke, after his restoration, prevailed with the late King to settle him in it, on condition of yielding Gambia in Guinea to him. The King signified this grant to the States-General, but without effect. During the Dutch war the English plundered the island and burned the port, but the Dutch returned at once and prevented the Duke from taking possession. This happened again in the second Dutch war, and though the Duke asked that his settlement in the island might be inserted in the treaty of peace, this was not done. Count d'Estrées later drove the Dutch from the island, but the French were forbidden to settle therein, as it was the property of a neutral prince. When the Duke applied to the King of England to ask the Dutch for peaceable possession of the island, the King answered that he did not think the treaty with him could be said to be alive, but promised his good offices. Ultimately the Duke sent a Governor to the island, who returned alone, and a second who died. The Duke then died, and his son sent a third Governor with four hundred men, who are still there, but do not know how to settle an island. The Duke's envoy therefore begs for a small number of English subjects to help them, reminding the King that from 1645 to 1650 the late Duke supplied King Charles with ships, arms, and ammunition. The grant of the island to the Duke cannot be considered invalid, for all conditions incident to it have been fulfilled; and Tobago has so many avenues whereby an enemy may enter that it is only fit to be in the hands of a neutral prince. 4½ *pp. Endorsed as the preceding.*

1,184. II. Abstract of the foregoing. 2½ *pp. Similarly endorsed.* [*Col. Papers, Vol. LX., Nos.* 8, 8 I., II.]

March 14. 1,185. Sir Nathaniel Johnson's receipt for the new seal of the Leeward Islands. *Obverse:* "His Majesty's royal effigies representing Neptune in a chariot drawn by two sea-horses, and robed with his royal robes and crowned, with a trident in his left hand." *Reverse:* The Royal arms. *Signed,* N. Johnson. 1 *p. Endorsed.* [*Col. Papers, Vol. LX., No.* 9, *and Col. Entry Bk., Vol. XLVII., p.* 246.]

March 14. 1,186. Sir Nathaniel Johnson's receipt for papers delivered to him. *Signed,* N. Johnson. 1½ *pp.* [*Col. Papers, Vol. LX., No.* 10, *and Col. Entry Bk., Vol. XLVII., p.* 247.]

March 15. 1,187. Instructions to the Duke of Albemarle as Governor of Jamaica. He is not to restore suspended members of Council until the King, on a report on the proceedings, gives orders. He is to

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foster the negro trade with Spain and countenance the agents of the Coymans with that object. Appeals in cases of £300 and upwards will lie to the Governor in Council, of £500 and upwards to the King in Council. A law, similar to that in Ireland, against absentee office-holders to be considered. White servants are to serve for four years. Every man importing servants shall receive thirty acres for each, and the servants themselves shall have thirty acres at the end of their term. [*Col. Entry Bk., Vol. XXXI., pp.* 261-296.]

March 17. **1,188.** Minutes of Council of New England. Order for the Treasurer to produce account of the expenses for repair of the castle and the fitting of the house on Fort Hill for the soldiers. [*Col. Entry Bk., Vol. LXIV., p.* 118.]

March 17. **1,189.** Minutes of Council of Antigua. Report of collision of the troops with the runaway negroes, where Captain Carden and some of his men were wounded. Order for fresh parties to pursue. The negroes brought in, among them one who was proved to have been in correspondence with the runaways, and was expected to run away and join them. Ordered that his leg be cut off. The rest, against whom nothing can be proved, are remanded in custody. Order for the members of Council to secure the negroes who are returning from the runaways, after their late rout. [*Col. Entry Bk., Vol. XLVIII., pp.* 101, 102.]

March 17.
Barbados. **1,190.** Lieutenant Governor Stede to [the Earl of Sunderland]. Only my long and terrible sickness, which has brought me near to the grave, has prevented me from thanking you before for your extreme favour. We are quite quiet here and in fair health, though the long and unknown cold weather begins to breed fever and ague among us, and all classes complain of a poor crop of sugar and great mortality among Christian servants, negroes, and cattle. Unless the price of sugar be good, people here will grow very poor, and be unable to pay their debts. Certain persons have lately obtained promotion to the Council through the mediation of their friends at home, and this has encouraged many more to attempt the like. This may in time prove very prejudicial, for these solicitors at home take no thought of the qualifications of the persons that they recommend, but only strive to advance their friends or to gain a name for success therein at Court. I have therefore sent to the Lords of Trade a list of persons well qualified for the Council, as well as a list of those who are trying to obtain appointment to it, though, in my opinion, unqualified, and enclose you copies for your perusal. Methinks it is hard that a man of Sir Robert Legard's circumstances should be able to write to his son-in-law, Sir Timothy Thornhill, lately a member of the Council, but now suspended, that in case I had died he had interest enough to get him, Sir Timothy, made President of the Council, or in effect Governor. Sir Timothy is a man of such vicious inclination, and so full of all manner of lewdness and debauchery, that he has corrupted most of our youth here, and though he now stands under heavy obligations for his good behaviour, yet he observes them little, but continues in the same way of drinking,

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profaneness, and execrable swearing. He obtained by surprise the testimony of many loyal men as to his loyalty, but these now much regret that they gave it. Some publicly refused in Council to give it, but were prevailed upon in private to do so, and many were drawn into it by his making use of my name, without and contrary to my leave, as though I approved of it. He now makes a sort of Monmouth's circuit to go and feast in the several quarters of the island, thereby attracting the giddy and unsteady to favour him and imitate his loose disposition, and prevailing with them to cry up those he likes and to cry down the honest and sober. I beg that if the present charge against him be passed over, that the King will at any rate not restore him to his former commands here without good testimony first given of his amendment; otherwise his triumph will find no end until everything be in confusion. He already boasts that he will shortly have his revenge on his enemies, and remove many good men from their stations who have served the King faithfully and opposed his vicious inclinations. Pardon me for troubling you with these matters in the midst of your weightier business. I was glad to do you service in respect of Sir Thomas Montgomery, the Attorney-General. He has, however, enjoyed little health here and little benefit from his office. There is no salary attached to it, and little business to bring in fees or perquisites; while the offenders against the Crown laws are few in number, Sir Timothy Thornhill being the greatest of them. I hope that if his health be restored Sir Thomas will not think his time utterly lost in coming out here. I shall do my best to improve his venture for him.

I am sending to the Lords the depositions in the cause of Judge Daniel against Sir Richard Dutton, which show the malice and falsehood of Sir Richard very clearly. His malice against me is shown by his appointment of Sir Timothy Thornhill as Major-General of the forces *(see next abstract)*. I beg you to obtain for me a warrant for the payment of my salary, for by the time when this reaches your hand I shall have held office two years without my allowance. I hope that when settled it will not be less than was allowed to Sir Richard Dutton, for my service will, I trust, prove to be greater and my experience is no less than his. In this expensive place the Governor has no perquisites, only the King's salary, and therefore cannot be compared with the Governor of Jamaica for instance, where the salary and the perquisites each of them far exceed the combined salary and perquisites of this place. *Signed,* Edwyn Stede. $3\frac{1}{2}$ *pp.* *Annexed,*

1,190. I. A list of the Council of Barbados.

Thomas Walrond.
Francis Bond; going shortly to England.
Sir Robert Davers, Bart.; going shortly for England.
Sir Timothy Thornhill, Bart.; at present under suspension.
John Hallett.
Henry Quintyne.
John Hothersall; going shortly to England.
Christopher Codrington; left the island last December. No knowledge when he may return.

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Richard Harwood.
John Reid, jun.
Benjamin Scutt (daily expecting appointment to the Council).

There are also three members in England, Sir John Witham, Colonel Henry Walrond, and John Peers, who have not been absent two years, and will therefore have a right to re-admission on their return; so that the number of Councillors far exceeds twelve.

Names of persons well qualified to serve in the Council.
William Walker, clerk; eminent for piety, learning, loyalty, and sound judgment in temporal as ecclesiastical matters.
William Chester, late Attorney-General; an upright and loyal man, well conversant with the laws.
John Farmer, a loyal and intelligent man of good estate.
Willoughby Chamberlaine, a young man of five and twenty, a good scholar, loyal, honest, and of good estate.
William Sharpe, a man of like loyalty and ability.
Colonel John Waterman, thoroughly acquainted with the business of the island, well principled, and of good estate.

The appointment of any of these would be a gain to the King's service, and by the time they are employed I may find others as well qualified. The island is not at present rich in men fit for the Council, though many think themselves so. The gentlemen whom I have named are not aware that I have done so, and, therefore, may not press much for the honour, as others far less qualified have done and are doing. The names of these, whom I judge ill-qualified, are John Davis, John Bromley, Nicholas Prideaux, Cornwall Somers, John Salton, Edward Binney. 2½ *pp. Endorsed.* [*Col. Papers, Vol. LX., Nos.* 11, 11I, *and (enclosure only) Col. Entry Bk., Vol. VII., pp.* 412-414.]

March 19. **1,191.** Lieutenant Governor Stede to Lords of Trade and Plantations. The Treaty of Neutrality and the royal orders thereupon are lately come to my hand. I have ordered Captain George Beach, of H.M.S. Mary Rose (Captain John Temple being dead) to publish it in St. Lucia, St. Vincent, and Dominica. I have caused the King's arms to be fitly and decently carved in wood and to be affixed in the most notable places in those islands. I hope that the French will not presume to shoot them down and break them in pieces in an insolent and scornful manner, as they formerly did, as soon as the frigate had left them. I hope also that in future they will make no pretence to sovereignty over these islands, though I am told that, because express mention is not made of what belongs to each dominion, they still lay claim to them. Sickness has long prevented me from taking the examination of witnesses in the cause between John Daniel and Sir

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Richard Dutton, but I now enclose them in accordance with your orders. Indeed, Sir Richard Dutton need not have troubled you to order that the witnesses might be examined without discouragement, had he not called to mind his own foul practice in the case of Sir John Witham, when he permitted no such fair examination of witnesses. I might justly remark on many of his wilful errors in his answer to Judge Daniel's petition, wherein he seems more careful to tell a fair story than to relate matters of fact, many of which he utterly denies, though they now lie before you under his own hand and the seal of the island. I beg only to make one observation on his irrelevant reflections upon me in his answer, thinking, I suppose, by vilifying me to magnify his own wisdom and services; I mean in his appointment of a major-general over my head, though his commission could not be of force after he had left the island. To shew you that he did this to hinder the King's service rather than to forward it, putting in as he did a rash, hot-headed young man as major-general, he did not think it necessary to do so when he left his own deputy, a man of no more military experience than myself. Indeed, before he left the island he removed Colonel Codrington from being major-general and ordered that immediately after his departure Colonel Henry Walrond should cease to be lieutenant-general. His care for martial affairs cannot have been great when he deprived Sir John Witham, a man of no martial knowledge, of two such officers. The petition of the Quakers which you sent me for my report is under examination, and the report shall shortly be forwarded.

All is quiet here, and everyone strives to show his zeal for the King's service. Many are striving, through their friends in England, to be promoted to the Council, among whom are some who seem to me ill-qualified in respect of loyalty, ability, and integrity. I therefore enclose the names of the Councillors in residence or expected here, and would ask if the King wishes to have more than twelve members of Council in being at once. I also give the names of six persons qualified for that trust, which is no unimportant one. I also give the names of others who, as I gather, have applied for that honour, but are not, in my opinion, fit for it, and should at least give further proof of their resolution to serve the public interest, which heretofore they have not given *(see preceding abstract)*. I have reported to the Lords of the Treasury my measures for the security of the King's revenue. H.M.S. Mary Rose recently took a Dutch ship at St. Vincent. It is said that she was richly laden, and that the officers and seamen got the most valuable part of the cargo, nothing having been brought to me but the ship herself, with her rigging much pillaged and nothing on board but a little lumber of small value, the whole estimated at no more than £250. As it was perishable and perishing I have ordered it to be disposed of, as also the ship, which is worm-eaten, and not worth repair. *Signed*, Edwyn Stede. 3¼ *pp.* *Endorsed.* Recd. 25 May, 87. *Annexed*,

1,191. I. Deposition of John Daniel. Some time before Christmas, 1684, I received an information from several persons as to blasphemous language used by Sir Timothy Thornhill, and reported the same to Sir Richard Dutton. Half an hour later Sir Richard sent one for me and told me to draw out a proper presentment of the case with depositions, which I did, and delivered it on the 17th December. Sir Richard then told me that the presentment was made out of malice. I denied this, and leaving Sir Richard went down to the Court of Grand Sessions, where I was told that my name was struck out of the Commission of the peace, and that I was dismissed from the judgeship of the Court of Common Pleas. Sir Timothy afterwards began an action for defamation against me, but dropped it. Copies of documents are annexed. *Signed*, John Daniel. Sworn 23 February, 1686. 1¼ *pp.*

1,191. II. Copy of the letter written by John Daniel to Sir Richard Dutton, complaining of Sir Timothy Thornhill, with names of the witnesses. 1 *p.*

1,191. III. The deposition of Colonel Thomas Helme as to Sir T. Thornhill's language. Sworn 16 December, 1684. *Scrap.*

1,191. IV. Deposition of Francis Brooking as to blasphemous language used by Sir T. Thornhill. Sworn 16 December, 1684. *Scrap.*

1,191. V. Deposition of Dorothy Green to the same effect. Sworn 16 December, 1684. *Scrap.*

1,191. VI. Copy of Sir Timothy Thornhill's action against John Daniel for defamation. 1½ *pp.*

1,191. VII. Writ served on John Daniel to appear at the Court, 22 January, 1684-5. *Signed*, Wul. Howe. *Original. Scrap.*

1,191. VIII. Copies of the depositions taken on behalf of Sir Richard Dutton against John Daniel, 16 February, 1687, Four witnesses were called to prove that on one occasion Daniel was drunk. At the close Sir Timothy Thornhill declared that he could produce no more evidence, and believed the rest of Sir Richard Dutton's charges to be untrue. 4 *pp.* *Attested copy*, dated 4 March, 1687.

1,191. IX. Depositions taken on behalf of John Daniel, 16 February, 1687. Several witness to character. List of documents put in. 9½ *pp.* *Copies. Attested.* 4 March 1687.

1,191. X. Deposition of Honoria Savery as to blasphemous language used by Sir Timothy Thornhill. March 23 1685. Reaffirmed 4 March 1687. 2 *pp.*

1,191. XI. Deposition of Elizabeth Brooking. To same effect, and of same date. Reaffirmed 4 March 1687.

1,191. XII. Deposition of Richard Walter, taken 4 March 1687. As to Sir Timothy Thornhill's expectation of recovering £2,000 damages by his action for defamation against John Daniel. 1 *p.*

1,191. XIII. The Lieutenant Governor and Council of Barbados to Lords of Trade and Plantations. 4 March 1686-7. We have examined the evidence adduced by Sir Timothy

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Thornhill on behalf of Sir Richard Dutton against John Daniel. We have always known Mr. Daniel as a loyal, good, and religious man, and were surprised at Sir Richard Dutton's character of him. But Sir Richard is convicted of error by his own hand, for Mr. Daniel was made judge by Sir Richard himself at his first arrival in the island. We send the documents to your Lordships, only adding that from our own knowledge of Mr. Daniel and the testimony of many witnesses we believe him to be free of the reflections cast on him by Sir R. Dutton, who has so far forgotten himself as to deny his own acts recorded by his own hand. *Signed*, Edwyn Stede, Robert Davers, Tho. Walrond, Fran. Bond, Henry Quintyne, Richard Harwood, John Hallett, John Gibbes, John Reid. *Copy in Col. Entry Bk., Vol. XII., pp.* 25, 26.

1,191. xiv. The Council of Barbados to Lords of Trade and Plantations. 4 March, 1686-7. In the course of our enquiry we discerned at the close of Sir Richard Dutton's answer to John Daniel a great scandal attempted upon our Lieutenant Governor. We think it our duty to you and to him to observe that our Lieutenant Governor's martial conduct does not deserve Sir Richard Dutton's reflection. Sir Richard himself was far more untrue to his Commission, for he never shewed nor left behind him one instance of military ability, whereas Colonel Stede, though lame and sick, has greatly improved both the militia and the forts. We believe that if occasion called for it he could give a very good account of his sufficiency in military command. *Signed*, Tho. Walrond, Robert Davers, Fran. Bond, Henry Quintyne, John Hallett, Richard Harwood, John Gibbes, John Reid. 3 *pp. Copy in Col. Entry Bk., Vol. XII., pp.* 27, 28.

1,191. xv. A duplicate of No. 1,191 i. [*Col. Papers, Vol. LX., Nos.* 12, 12i.-xiv., *and (despatch only), Col. Entry Bk., Vol. VII., pp.* 409-412.]

March 23. **1,192.** Sailing orders from [Lieutenant Governor Molesworth] to Captain Spragg, H.M.S. "Drake." You will sail to the port of Campeachy and there ask for the restitution of certain English prisoners, and deliver over to the Spanish authority the mulatto who is supposed to have guided the French pirates to the capture of several towns. You will make diligent search for Coxon wherever you go, and do your best to take him. You will also ask for English prisoners from the Governor of Vera Cruz and the Viceroy of Mexico, but will go under no forts and castles unless you are assured of a safe passage out. *Copy.* 2 *pp. Endorsed.* [*Col. Papers, Vol. LX., No.* 13.]

March 24. **1,193.** Minutes of Council of Antigua. Depositions taken against the negro George (*see No.* 1,189), proving mutinous behaviour on several occasions. List of the negroes still in the mountains, twenty-two in all. Ordered that the negro George be burned to ashes. Ordered that another negro who has done good service as a guide be pardoned. Orders for safe custody of

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Mr. Sampson's negroes. Ordered that in consequence of the continued defiance of the runaway negroes all of them, or of those who have helped them, who are taken, are guilty of death. All white owners of the fugitives who entertain or receive them shall be judged enemies of the country. [*Col. Entry Bk., Vol. XLVIII., pp.* 103-109.]

March 25. **1,194.** Edward Randolph to the Earl of Sunderland. I transmit the laws passed in Council for confirmation. The extremity of the winter has greatly obstructed the despatch of public business, but we labour under a greater difficulty, for among those chosen out of the several Colonies for the Council, there is not one who rightly understands the laws peculiar to the Courts of England, from whence arises a great lack of persons fit to be judges or other ministerial officers. They have made themselves titles to very large tracts of land, so that at present it is not safe to bring titles of land before them when the King's right is involved, for the judges are also parties. This makes all matters relating to the King go on very heavily. The Governor, besides my leaving a second writ of *Quo Warranto* against the Charter of Connecticut, has used all means to persuade them to surrender it. The inhabitants are very anxious to be under this government, and the addition of the Colony may in turn contribute about £3,000 a year towards defraying the public charge. They send formal and dilatory letters to gain time, very much to the damage of the whole territory, for as our fisheries and shipping cannot be carried on without supplies of provisions from thence, so their produce cannot find a market except with us. Their Charter should, therefore, be prosecuted effectively. The Governor has settled the officers, civil and military, in the whole government, and has chosen well qualified persons. I have sent the transactions of Council. *Signed*, Ed. Randolph. *Holograph.* 1 *p. Endorsed.* Recd. 17 May, 87. [*Col. Papers, Vol. LX., No.* 14.]

March 25. **1,195.** Edward Randolph to Lords of Trade and Plantations. Among the laws transmitted, that for continuing and establishing rates and duties was passed with great difficulty; not that it is a novelty or a hardship, for there is nothing in it which is not transcribed from the people's printed law-book, and the proceeds will not exceed £1,000 in New England money; but they have always accounted themselves a free people, and look upon this Act as a clog to them and their estates. The Governor has settled all military and civil commands, and ordered a return of the military stores which were purchased by the county during the late Company's time. The country is so naked and unprovided for defence that it will cost much money to put the castle and forts, at best of little strength, into reasonable repair. The *Quo Warranto* has been served in Connecticut. That Colony wishes to be annexed to this government. The Governor has sent an officer and twenty-two men to take over the fort of Pemaquid. He also gave notice to the members of the Third Church at Boston that he intended to use the building for the service of the Church of England, without obstructing them in their own use of it. We find it difficult to raise a maintenance for our minister, and

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nothing will obstruct the settlement of the Church of England here so much as to have the minister precarious. He is a sober and diligent person, and wants only a good encouragement for his support and some three or four assistants, for there are thousands of men, women, and children unbaptized. The Charter of Connecticut ought to be prosecuted to effect. I know they will employ none to defend it, but let the law take its course. *Signed*, Ed. Randolph. [*Col. Entry Bk., Vol. LXI., pp.* 342, 343.]

March 29. **1,196.** Pass for Robert Mason to travel to New England. *Countersigned.* Sunderland. *Copy.* 1 *p.* [*Col. Papers, Vol. LX., No.* 15.]

March 30. Boston. **1,197.** Governor Sir Edward Andros to Lords of Trade and Plantations. On my arrival I summoned the Council to meet on the 30th December, when they were all sworn, and proceeded to business, as far as the winter weather would admit of their sitting. The General Council met again at the latter end of February. Their proceedings have been sent to you. I have settled the militia and Commission of the Peace, and taken care for the observance of the Acts of Trade and Navigation, fixing certain ports where all ships must be entered or cleared. Connecticut has not yet submitted, though another writ has been served on them and the King's wishes signified to them. They pretended loyalty and readiness to obey, and acted to the contrary. Another assembly and General Court has been convened for this day at Hartford on the subject. The Act of Revenue will not be sufficient to defray the ordinary expenses of government without Connecticut, but it was found to be in accordance with my instructions. This country has sustained great loss of late by the Indian war, two great fires in Boston, some disasters at sea, and the blasting of the wheat for some seasons past. The people are generally but poor. Fishery and timber make their chief trade and support, and they are wholly supplied by Connecticut with provisions, without which they could not carry on their trade. I have found here, in different places, about eighty iron guns of all sorts, most of the carriages bad, few other materials, no magazines of powder or other stores of war, no storehouses nor accommodation for officer or soldier, and no fortification, which last is much wanted. The castle on Castle Island, which commands the channel, has four bastions, but very small and inconsiderable, no yards, the walls about ten feet high and out of repair, the guard-rooms under the batteries of the curtains, and a room over the gate. The Indians in these parts are much diminished, and there are none considerable except a few towards Pemaquid. The French settlements in Nova Scotia are few and far distant. Mons. Perrot, the new French Governor, lives at Port Royal on the other side of the Bay of Fundy. On notice from Colonel Dongan I have sent an officer with a detachment of soldiers to take over the fort of Pemaquid. There being no place for service of the Church of England except in the town-house, which is not convenient before Easter, I asked the use of the South meeting-house at Boston at 11 a.m. and 4 p.m., when we had the liturgy of the Church of England, service, and the sacrament. I shall continue this for the present. I send the names of the twelve men best qualified to fill vacancies in Council. *Signed*, E. Andros. *Holograph.* 3 *pp.* *Endorsed.* Recd. 18 May 87. Read 15 June 87. *Annexed,*

1,197. I. Names of persons best qualified to fill vacancies in Council. Samuel Shrimpton, William Brown, jun., Simon Lynde, Richard Smith, Francis Brenley, Peter (?) Sandforth, Charles Lidgott, Humphrey Lusamb, Eliakim Hutchison, Jonathan Curwin, Sampson Sheafe, James Russell. *In the handwriting of Edward Randolph.* *Signed*, E. Andros. Boston, 25 March 1687. 1 *p.* *Inscribed.* Recd. 18 May. Read 15 June 87. 1 *p.*

1,197. II. The Governor and Council of Connecticut to Governor Sir Edmund Andros. Hartford, January 6, 1686. We have received your letter and congratulate you on your appointment to the Governor of New England. You say that you are authorised to receive the surrender of our charter. Sir, the King at his accession ordered us to continue as we were until his further pleasure was known. We have heard nothing from him since, and beg you therefore to excuse our compliance, though our own inclinations sufficiently prompt us to union with our ancient neighbours. We hear that religious freedom and other changes are granted in your Commission, which will be of singular use to us. Your letter shall be communicated to the General Court. *Signed*, Robert Treat, Governor, John Allyn, Secretary. 1 *p.* *Endorsed.* *Read in Council* [New England]. January 12, 86. Recd. from Sir Edmund Andros, 18 May 87.

Jan. 6. 1,197. III. Copy of foregoing. *Endorsed.* Recd. from Sir E. Andros, 25 March 1687.

1,197. IV. The Governor of Connecticut to Sir E. Andros. Hartford, 26 January 1686. I should have paid my respects to you before now, but for the severity of the season. I hope that my late congratulations may not be misconstrued. Though the severity of the winter made it difficult to travel, I have convened the General Assembly and communicated your letter, and present you herewith with their humble understanding of the same *(see next abstract)*. Old rights and privileges are hard to give up. I hope you will construe the seeming backwardness of our Court's compliance with favour. They say they are resolved to submit to anything they can with a safe conscience, and in all things to shew themselves loyal subjects. *Signed*, Robert Treat. *Holograph.* 1 *p.* *Endorsed.* Recd. 18 May 1687.

1,197. V. The Governor and General Court of Connecticut to Sir E. Andros. Hartford, January 26, 1686. We congratulate you on your arrival and wish you prosperity. The Governor has informed us that you are authorised to receive the surrender of our charter, if tendered by us, and to receive us under your care and charge. After consideration we answer that, having received the King's letters soon after his accession to continue with our present government till his further pleasure, we have since, on the serving of two *Quo Warrantos* on us, addressed his Majesty praying for a continuance of our present privileges. As we have yet received no order therein we are content to remain as we are, and be always loyal subjects, as you will find us if it be our lot to be joined with the Colonies under your government. *Signed*, Robert Treat, Governor, John Allyn, Secretary. 1 *p. Endorsed by Sir E. Andros*, 12 February 1686; *by Edward Randolph.* Read the 15th of February in Council; *and by a clerk in England.* Recd. 18 May 87.

1,197. VI. The General Court of Connecticut to the Earl of Sunderland. Hartford, January 26, 1686. We have sent addresses to the King but received no answer. Two writs of *Quo Warranto* were served on us, but after the time for appearance had lapsed. We therefore prepared an address, and appointed an attorney to represent us in case of legal proceedings. Since then another *Quo Warranto* has been served on us on December 28 last, requiring an appearance within eight days of the feast of the Purification, which is so soon that owing to our remoteness and the severity of the season we cannot make the return that we ought. We have therefore again empowered Mr. William Whiting to act for us, that judgment may not go against us by default of our appearance. We beg that we may be continued in our present state, but if not we should prefer to be joined to Sir Edmund Andros's government, rather than to any other. *Signed*, John Allyn, secretary. *Certified copy.* March 17, 1686. 1 *p. Endorsed.* Recd. 17 May. Read 18 May 87.

1,197. VII. The Governor and Council of Connecticut to Sir Edmund Andros. Hartford, March 17, 1686-7. We have received your letter of 25 February, and thank you for your advice; but as to the present surrender, we have (as we have already informed you) addressed the King and the Secretary of State asking to be left as we are, or if not to be joined to your government. This was the resolution of our last General Court, and, whatever may be our inclinations, we have resolved to adhere to it and leave ourselves to the King's disposal. *Signed*, John Allyn, secretary. 1 *p. Endorsed.* Recd. 18 May 87.

1,197. VIII. Account of ordnance and military stores found in New England, December 1686. 2¼ *pp. Endorsed.* Recd. 18 May 87. [*Col. Papers, Vol. LX., Nos.* 16, 16I.-VIII., *and* (*letter and Enclosures Nos.* I., VI., and VIII.) *Col. Entry Bk., Vol. LXI., pp.* 344-351.]

March 30. Boston. 1,198. Governor Sir E. Andros to the Earl of Sunderland. *Repeats the substance of the foregoing letter to Lords of Trade and Plantations.* The new French Governor of Nova Scotia is very active. Our fishing parties are afraid of being disturbed in their fishery off the coast, where they find plenty of fish, though

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very [few] this way. *Signed*, E. Andros. *Holograph.* 1½ *pp.* *Endorsed.* Recd. 18 May 87. Read 15 June 87. [*Col. Papers, Vol. LX., No.* 17.]

March 31. **1,199.** Minutes of Council of Antigua. Order concerning a negro woman, who promised to act as a guide against the runaway negroes and herself ran to them, that she is worthy of death as soon as captured. Order for fresh parties to pursue the fugitives. [*Col. Entry Bk., Vol. XLVIII., p.* 111.]

April 1. **1,200.** Journal of Council and Assembly of Nevis. The Governor and Council proposed that the reception of Sir Nathaniel Johnson should be considered, together with the expense thereof. The Assembly declined. The Governor and Council proposed to consider a means of defraying the expenses of Sir James Russell as Governor. The Assembly, not being a full Assembly, could not reply, but finally agreed to give him 100,000 lbs. of sugar within eighteen months, the grant not to become a precedent. Acts for confirming bills and restraining the insolence of negroes read and passed. [*Col. Entry Bk., Vol. XLVIII., p.* 127, *and pp.* 135-137.]

April 3. **1,201.** Memorandum of Lord Howard of Effingham's proposal that power be given him to regulate the price of foreign coin in Virginia. *Presented* 3 *April.* ½ *p.* *Endorsed.* Read at the Committee, 13 April 87. [*Col. Papers, Vol. LX., No.* 18.]

April 3. **1,202.** Instructions to Lord Howard of Effingham, for the support and protection of the Royal African Company; to see that the Company is promptly paid for goods delivered and that interlopers are prosecuted. [*Col. Entry Bk., Vol. LXXXIII., pp.* 120-122.]

April 7. **1,203.** Minutes of Council of Antigua. Message of the Council to the Assembly asking approbation of their measures at the last four meetings, and a grant from the common stock to meet liabilities. Answer of the Assembly. We do think that the country ought to pay for taking or killing any of the runaways, the matter being of public concern; and the runaways perhaps belonging to poor men, the public should help them. We approve of your proceedings highly. [*Col. Entry Bk., Vol. XLVIII., pp.* 113-115.]

April 11.
Charlestown,
Carolina.

1,204. George Muschamp to [Lords Proprietors of Carolina]. I fear that it will be difficult to enforce the Navigation Acts here. Only a week ago I had an action with a master for illegal trading, which I lost, the evidence not being very clear. However, it was declared in effect that if the guilt had been never so evident they would have pleaded the benefit of their charter against me, for they pretend that it gives them full power to trade with Scotland and Ireland, and that the natives of those countries have liberty to transport their own produce in their own ships, which is certainly contrary to the letter of the law, which was in force before their charter was passed. I, for my part, do not conceive that the King designed his grant to the prejudice of the English settling

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here, nor contrary to an Act of Parliament made chiefly to encourage trade at home and to maintain our race of seamen. This practice, however, opens the trade to Scotland and Ireland, which are evidently able to undersell the English. Their goods, being either much coarser or slighter, will serve for servants and will be sure to go off there, being cheap, so that an Englishman must either go away unfreighted, or sell to vast disadvantage. Moreover, if it be allowed here, Lord Baltimore may pretend to the like liberty. *Endorsed.* 1½ *pp. Copy.*

Copied on other side. The Attorney-General to Lords of Trade and Plantations. It is plain that the trade referred to by Mr. Muschamp at Carolina is illegal, the fact that their Charter was granted subsequent to the Acts of Trade and Navigation being nothing unless the Charter contains a clause giving them licence to trade contrary to those Acts. *Signed,* T. Powis, 7 July 1687. [*Col. Papers, Vol. LX., No.* 19, *and Col. Entry Bks., Vol. XXII., pp.* 116, 117, *and Vol. C., pp.* 2-5.]

[April 12.] **1,205.** Memorial from the Envoy of Courland. The Envoy subjoins some copies of letters which his late Majesty at divers times despatched to the West Indies in his Highness' behalf, which the Envoy conceives cannot but make his master's request irreprovable; for nothing can be more just than due performance of a treaty. This rule his Highness has faithfully observed, for as to the contract made with Captain Poyntz, both it and the minister that made it were rejected both here and in Courland. As to the benefit to his Majesty's subjects, a condition in their favour is inserted in the treaty, nor would they be so desirous of his Majesty's permission, if they knew not it should turn to their advantage; and most of the produce shall be brought for the benefit of his Majesty's Customs. Lastly, the Envoy prays that if his Majesty shall not permit any of his subjects to go to said island, he will grant a new order to the Governor of Barbados to suffer his people to supply their need at a reasonable price. For the rest the new Governor at Tobago is in a sufficient capacity to defend the island against the Indians, having already above 400 men. 1½ *pp. Annexed,*

1,205. I. The King to Francis, Lord Willoughby of Parham, Governor of the Caribees. A war being ready to break out between his Majesty and the United Netherlands, he has granted the Isle of Tobago to the Duke of Courland, for the equal benefit of his Majesty's subjects and the Duke's, with a like participation of privileges and immunities to both; whereof his Majesty gives this notice, that he may perform all such friendly offices to the Duke's subjects as shall be fit from one ally to another. Whitehall, November 25, 1664. *Signed,* Will. Morice.

1,205. II. The King to the Governor of Tobago. Having thought fit to grant Tobago to the Duke of Courland, these are to require you to deliver the island to such persons as the Duke shall empower to receive the same; and to give notice thereof to all Governors of his Majesty's Islands and Colonies in America, that they may perform

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all such friends' offices to the Duke's subjects as shall be fit. Whitehall, December 20, 1666. *Signed*, Will. Morice.

1,205. III. The King to Sir Jonathan Atkins. Having been given to understand by the Resident of the Duke of Courland that the Duke intends to send two or three ships to Tobago, it is our pleasure, that in case any of said ships touch at Barbados, you not only permit the officers to furnish themselves with what they may need, at a reasonable price, but be assisting to them as occasion may require; provided that these letters shall not give leave to said ships to trade in that island, or dispense with the Acts of Navigation. Whitehall, January 19, 1680. *Signed*, Sunderland. 5 *pages*. *Indorsed*. Presented by the Duke of Courland's agent and referred 13 March 86-7. Recd. 12 April 86-7. Read 13 April 87. [*Col. Papers, Vol. LX., Nos.* 20, 20I.-III.]

April 13. **1,206.** Journal of Lords of Trade and Plantations. Letter from the Governor and Council of Virginia of 6 July as to fixing the value of foreign coin read and referred to the Commissioners of the Treasury.

Memorial of Mons. Blumberg as to Tobago, which was referred by Lord Middleton 13 March read (*see No.* 1,184). The Lords agreed to report that they saw no cause to alter their former opinion.

Colonel Molesworth's letter of 17 December read. Agreed to refer it to the Commissioners of Customs.

Memorandum of documents received. [*Col. Entry Bk., Vòl. CIX., pp.* 54-61.]

April 14. Treasury Chambers. **1,207.** Henry Guy to William Blathwayt. The Lords of the Treasury desire of you a draft of a letter to be sent to Jamaica, concerning the perquisites, and that you shew the draft to Sir Charles Littleton before you send it. *Signed*, Hen. Guy. ½ *p.* *Endorsed.* [*Col. Papers, Vol. LX., No.* 21.]

[April 15.] **1,208.** Petition of Richard Lavington and Company of London to the King. We have for the last three years entrusted Colonel Philip Warner and his son Thomas as our factors at Antigua with several cargoes, worth five or six thousand pounds, whereof we have not been able to receive above one thousand pounds. In April 1688 the Warners told us that they had large quantities of sugar by them, and that if they had freight they could load sixty or seventy tons with say £250; but on our sending a ship they sent her with but £41 worth, thereby losing for us £200. We are forced to send one Mr. Porteene to Antigua to look into the matter, but we fear that he will have great difficulty in recovering our property; and we therefore beg you to recommend our case to the Governor of the Leeward Islands. *Copy.* 1¼ *pp.* *Endorsed.* Read in Council, 15 April 1687. [*Col. Papers, Vol. LX., No.* 22.]

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April 15. Whitehall. **1,209.** Order of the King in Council. Granting the petition of Richard Lavington, and directing a letter to be prepared commending his case to the care of Sir Nathaniel Johnson. [*Col. Entry Bk., Vol. XLVII., p.* 249.]

April 15. **1,210.** Proposals of the Duke of Albemarle to the King. 1. In view of the extreme abundance of pirates in the South Seas, I beg for two frigates, as not more but less costly than the two warships, the Falcon and Drake, which are now at Jamaica, and are to return home. If the Drake do not come home she will be unable to live in the sea. Besides, you promised the smaller vessel to Captain Monk, for which purpose he was taken from H.M.S. Crown, now at sea. About four months ago you and Mr. Pepys decided to send a frigate after me within that time, so I beg that I may have either the Greyhound or the Lark frigate with me. 2. Of late there has not been a friendly spirit among the leading men in Jamaica. Pray direct that all past differences may be laid aside, and empower me to restore as well as to suspend Councillors, for I wish to keep the Council always full. *Copy.* 1½ *pp. Endorsed.* Read in Council 15 April 1687. [*Col. Papers, Vol. LX., No.* 23, *and (second proposal only), Col. Entry Bk., Vol. XXXI., p.* 259.]

April 15. **1,211.** Minute of Council on the foregoing proposals. The report formerly made on the second proposal was confirmed, with the addition that the Duke of Albemarle may send over Sir Henry Morgan or Colonel Byndloss, if he see cause, with the affidavits taken in their justification. *Draft. Scrap. Endorsed.* [*Col. Papers, Vol. LX., No.* 24, *and Col. Entry Bk., Vol. XXXI., p.* 260.]

April 17. Jamaica. **1,212.** Lieutenant Governor Molesworth to William Blathwayt. Captain Talbot's seizure of the unfree ships never came into question here except to give those concerned a pretence for mercy as not wilful offenders, but as misguided by former practice. No one was so stupid as to think that this custom would justify him against the seizure, had Captain Talbot proceeded as he ought to have done. Whether it was that he scorned to bring himself forward as an informer, or coveted a larger share than belonged to him, I cannot say, but certain it is that though the ship was taken in harbour, he libelled her as if taken at sea, thereby pretending unto half forfeit for himself and half for the King. Judgment was given against him, whereas had he brought his action at Common Law with a *tanquam* for the King and Governor as well as for himself, he would have had no difficulty. Had he appealed after sentence, I should have found some way to redress him. It was not any freedom granted by me that the owners had to depend on. I gave them no more than a certificate that the ships had been formerly condemned as unfree, and the King's part of the condemnation having been paid, the certificate, according to old custom all over the Indies, has been treated as tantamount to letters of freedom. It is the practice, that the first condemnation, by which the King becomes entitled to a ship, makes her free for ever. No sooner was judgment given for the defendants

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than they hastened to unload her and accomplished this in one night; so that if a fresh trial should be ordered no one could tell where to find ship or goods. Captain Talbot has only himself to thank for his disappointment. I have heard from the Governor of Providence, who desires to be annexed to this government, and to receive a Commission from it. They begin to see their error, and sue for protection with many protestations against receiving or encouraging pirates. It is reported that they were considering how to banish Pattison, who was chosen one of the Council, and was first or chief promoter of the design. From Bermuda I hear that many families were preparing to move thither, and I doubt not that many of the loose sort will join them from here if any encouragement be given. Should Providence be made a new settlement it may become very injurious to us, though less so if under our jurisdiction. I am told that there are about three hundred people dispersed among those islands who could all unite at Providence if the government were there settled. I have told their solicitors to apply to the King, and meantime to defend themselves as well as they can against the common enemy. They tell me of a large stockaded fort that they have finished, which could contain more than all the inhabitants they had there with them.

Courtney, who was lately acquitted on trial, was on the 14th condemned by the civil law for aiding and abetting pirates. Piracy has never received such checks as I have given it in the last few months, nor have we ever been so free as lately from such vermin. We may easily remain so if care be taken to prosecute them and their abettors. Among the minutes of the last Council you find a petition from Don Santiago de Castillo about a licence for exporting some of the produce of the island, upon paying here the full duty of its importation into England. This being illegal, we could not oblige him; but the Council asked me to recommend it for the King's special orders and point out that such a commission would be much for the advantage of the island, as well as of the King's revenue, and will interfere little with the Acts of Trade and Navigation. The commodity that they aim at particularly is sugar, which they can get from hence much better and cheaper than from Cuba. *Signed*, Hder. Molesworth. [*Col. Entry Bk., Vol. XXXII., pp.* 31-36.]

April 19. 1,213. Minutes of Council of Barbados. Orders for sundry payments on account of fortifications and of negroes executed, and for rebate of duties. Confirmation of thirty-seven feet of land in New England Street, St. Michael's town, to Doctor Henry Birch. The Assembly attending, the Governor reminded them as to the cleansing of the port of St. Michael's, and the revision of the laws. The Assembly ordered three to be a quorum of their Committees in those matters, to which the Governor added one member of Council. Benjamin Skutt sworn of the Council. [*Col. Entry Bk., Vol. XII., pp.* 33-39.]

April 21. 1,214. Minutes of Council of Virginia. Colonel Isaac Allerton sworn of the Council. On the death of Robert Beverley, ordered that the records of the Assembly be committed to the care of

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Ralph Wormley and Christopher Wormley, who will make them over to the Sheriff of Middlesex for return of Jamestown. [*Col. Entry Bk., Vol. LXXXIV., pp.* 237, 238.]

[April 22.] **1,215.** The Deputy Governor and Council of Antigua to Lords of Trade and Plantations. We have enquired into the petition of Margaret Henderson. Archibald Henderson obtained in 1669 a warrant for the grant of five hundred of acres of land to himself, David Arnett, and Christopher White. The ground was laid out accordingly, and Henderson entered into possession for himself and the others. In 1671 Henderson was sent prisoner to England by Governor Sir Charles Wheeler, but returned in 1672 and remained till 1674, when he was judged by Sir William Stapleton to be unfit to inhabit the island, and accordingly left it, leaving a power of attorney for sale of the plantation, which, however, was left waste till 1677. Then one Major Mussendon applied to Governor Philip Warner for a grant of the land, when it was considered to be forfeited, and Mussendon obtained possession. Some time after, John Gunthrop purchased the estate from Mussendon and improved it at great expense, whereupon Sir William Stapleton, for his encouragement, confirmed him in possession by patent. Moreover we cannot discover that Henderson ever put a hand to this land as enjoined by the Act, which was one of the reasons why Mussendon obtained his grant. Margaret Henderson began an action at law against Gunthrop here, but dropped it. Gunthrop himself is absent in New England, so cannot answer the petition. *Signed,* Ed. Powell, J. Parry, Will. Barnes, Ste. Winthrop, John Frye, Will. Thomas, Fran. Carlile, Archibald Cochran, Jno. Vernon, John Yeamans. 1½ *large pages. Endorsed.* Recd. 22 April 1687. Read 30th. *Annexed,*

1,215. I. Copy of an Act of Antigua for encouraging the settlement of the island, passed 11 April 1668. *Large sheet. Endorsed.* Recd. 22 April 87.

1,215. II. Return of the Surveyor, who laid out the land for Archibald Henderson and others. 16 January 1669. *Certified copy.* ½ *p. Endorsed as the preceding.*

1,215. III. Order of the Governor of the Leeward Islands in Council for the banishment of Archibald Henderson. 7 May 1674. *Certified copy.* 1½ *pp. Endorsed as the foregoing.*

1,215. IV. Copies of documents showing John Gunthrop's title to the land formerly granted to Archibald Henderson. 7 August 1677, 30 August 1677, and 17 September 1678. 3 *pp. Endorsed as the preceding.*

1,215. V. Grant by Sir William Stapleton confirming the said lands to John Gunthrop. 10 January 1681-2. *Certified copy.* 1 *p. Endorsed as the preceding.*

1,215. VI. Deposition of Archibald Cochran, Surveyor, as to the genuineness of the original warrant of 1668, Sworn 13 January 1686-7. 1 *p.* [*Col. Papers, Vol. LX., Nos.* 25, 25I.-VI., *and (letter only), Col. Entry Bk., Vol. XLVII., pp.* 259-261.]

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April 22. Bermuda. **1,216.** Governor Sir Robert Robinson to [William Blathwayt]. I arrived here on the 10th, when we were very welcome. On the 12th I asked Colonel Cony to summon the Council. I had my Commission read and took over the government, but only one of the Council attended. I then took advice about a new Council; I enclose the names of eight, and shall search out the other four myself. On the 20th we met in the Sessions House, sent to the captains for an account of the militia, then selected Justices, drew up Commissions, and ordered them to come and be sworn. There were none here before; it was as in Israel when there was no King. We have resolved on a General Assembly, but that cannot be before June, for the tobacco and corn must be looked after, there being promise of a great crop. There are also hundreds of orange trees with hopes of many oranges and other brave fruits. The next business will be that of those poor prisoners and that no care was taken of them; the next, what men there are able to bear arms; the next, an account of every individual person. The people are very ready to raise money for forts and for public buildings. I am living in a private house, the Governor's being ready to fall down. I told them to look to the forts first, the other public buildings next, and myself last. The present secretary desires to be excused of his deputyship, so I think Captain Tucker will have it, but he is sick and cannot go abroad. You may judge of the help that I am like to get, but I shall do my best. The whale-fishing season is half over before I came, so for want of materials nothing can be done till next year. I enclose account of stores received from Colonel Cony. *Signed*, Robert Robinson. 1 *p.* *Endorsed.* Recd. 30 June 1687. *Enclosed,*

1,216. I. Names of the Council of Bermuda, April 1687. Thomas Foster, William Pitt, Laurence Dill, William Greene, Richard Peniston, Perient Trott, Thomas Outerbridge, John Hubbard. *Scrap. Endorsed.* Recd. 1 July 87.

1,216. II. Names of the Justices of the Peace for Bermuda.

Hamilton	tribe.	Alfred Jones.
Smith's	„	William Peniston.
Devon	„	Joseph Dorrell.
Pembroke	„	Joseph Stow.
Pagett's	„	Francis Jones.
Warwick	„	John Darrell.
Southampton	„	Thomas Richards.
St. George's	„	Captain Tucker.

Scrap. Endorsed as the preceding.

1,216. III. Account of ammunition and other stores in the Sessions House, April 12, 1687. A very meagre supply. *Endorsed.* Recd. 5 July 87. [*Col. Papers, Vol. LX., Nos.* 26, 26I.-III., *and Col. Entry Bk., Vol. XVIII., pp.* 110-113, *and p.* 115.]

April 23. Bermuda. **1,217.** Governor Sir Robert Robinson to the Earl of Sunderland. I have to acquaint you of the great inconveniences that accrue by binding people to one ship, instead of giving them liberty as elsewhere to give bond or take the consequences of

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violating the Acts. The King's loss here is now 100,000 lbs. of the last crop of tobacco, which lay for want of a vessel to bring it to England; and before Captain Bee goes away, which will not be before Christmas, the tobacco will be entirely spoiled and worthless. And as the King loses his dues, so do the poor planters their tobacco, that is, what was left after the hurricane last year. They make six to eight hundred thousand pounds according to the season, as I am credibly informed. I am advising about the appointment of an Attorney-General, and the erection of an Admiralty and a Custom House, which I think they have been very loose in. I shall go on with other things as fast as may be; but, Sir, consider the poor help that I have for these great things; one poor unpolished scribe cannot do the duty as it should be done. *Signed,* Robert Robinson. *Holograph.* 1 *p.* *Endorsed.* Recd. 5 July. Read 12 August 1687. [*Col. Papers, Vol. LX., No.* 27, *and Col. Entry Bk., Vol. XVIII., pp.* 113-115.]

April 25. **1,218.** Minutes of Council of Virginia. The Governor communicated to the Council the complaints of William Martin and William Gennes against Captain Crofts and the insubordination of Captain Crofts towards himself. Resolved that the Governor represent the matter to the King (*see* May 21).

The Attorney-General's petition for an increase of salary considered. Resolved that his case be represented to the King. [*Col. Entry Bk., Vol. LXXXIV., pp.* 239-242.]

April 26. **1,219.** Minutes of Council of Antigua. Order establishing fees for the judges in each precinct, viz., for every warrant in an action or of arrest, eighteen pence; for signing every execution, three shillings; for proving a letter of attorney, six shillings; for every attachment, eighteen pence; for every *habeas corpus,* eighteen pence; for every fine and recovery, twenty shillings. [*Col. Entry Bk., Vol. XLVIII., p.* 117.]

April 26. **1,220.** Minutes of Council of Jamaica. The Governor reported the operations of the parties against the rebellious negroes. They had marched through all the suspected district, destroying their provisions, grounds, and huts, and cutting the springes that they set for wild hogs, which (as was confessed by two prisoners) had reduced them to great distress and made them very sickly. They seemed to be dispersed into smaller gangs, which would never await attack, since the parties had not come up with them. Order for discharge of three of the parties. The Governor reported the expected arrival of the Duke of Albemarle, and suggested that he, being a peer of the realm, ought to be received according to his quality. Ordered thereupon that the Duke be entertained for three days after his arrival at the public expense, the Council to make the arrangements and to meet together to receive him. Order for payment of Captain Spragge's account for expenses incurred in the capture of Banister, and of Captain Robert Wardlow's claims on the same account. [*Col. Entry Bk., Vol. XXXVI., pp.* 168-169.]

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April 27.
Custom House.

1,221. Commissioners of Customs to the Lords of the Treasury. We have received the papers respecting the seizure of the ship Swallow with her lading of logwood by Captain Talbot of H.M.S. Falcon, as foreign-built ship and not made free according to the Act. It appears to have been a frequent practice in the Colonies for the owners and proprietors of foreign-built ships to procure the condemnation of such ships on very cheap and easy terms by compounding with the Governors for their share of the forfeitures and paying no more than the King's third part of the appraised value, themselves being the informers and prosecutors. By virtue of this certificate of condemnation the ships have thus been admitted as free within the tropics, which is a distinction of their own without any ground or colour of law. We understand that there are twenty sail more of foreign-built ships like the one under consideration, which trade as free ships under such certificates, and carry logwood direct to Holland or Hamburg without paying duty. We advise that the King call in all such certificates in Jamaica and elsewhere, and that after a certain fixed time they shall not be accounted valid. We hold, too, that the Governors of Colonies should be ordered strictly to enforce the Acts of Trade and Navigation, and in particular to suffer no unqualified ship with logwood from the Bay to pass under any pretext whatever. *Signed*, T. Chudleigh, D. North, N. Butler, Jo. Werden, J. Buckworth. *Copy.* 3 *pp.* *Endorsed.* [*Col. Papers, Vol. LX., No.* 28, *and Col. Entry Bk., Vol. XXXII., pp.* 7-11.]

April 28.
Treasury Chambers.

1,222. Henry Guy to William Blathwayt. Forwarding the report of the Commissioners of Customs of 27 April (*see preceding abstract*). ½ *p.* *Endorsed.* [*Col. Papers, Vol. LX., No.* 29, *and Col. Entry Bk., Vol. XXXII., p.* 6.]

April 28.
Whitehall.

1,223. Circular. Lords of Trade and Plantations to the Governors of Colonies. Ordering the publication of the proclamation for suppressing pirates and privateers. *Draft, with corrections.* 1½ *pp.* [*Col. Papers, Vol. LX., No.* 30, *and Col. Entry Bk., Vol. XCVII., p.* 239.]

April 28.

1,224. Minutes of Council of Maryland. Petition of Major Thomas Long to be told the reasons why he is struck off the Commission of the Peace. Order to summon Colonel George Cocks, whose representations were the cause thereof. Petition of Major Thomas Long for the vacant shrievalty of Baltimore County granted. [*Col. Entry Bk., Vol. LIV., pp.* 93-95.]

April 29.

1,225. Minutes of Council of Virginia. Colonel Lear informed the Council that the Indians were encroaching on the north side of the Blackwater. He and Colonel Cole were ordered to tell the Indians to move to the south side.

April 30.

Order for the Clerks of the County Court to report to the Attorney-General half yearly what fines are to be levied. [*Col. Entry Bk., Vol. LXXXIV., pp.* 242-244.]

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April 30. **1,226.** Journal of Lords of Trade and Plantations. Representation of the African Company as to the negro trade to the Leeward Islands read and referred to the Commissioners of Customs.

The Commissioners of Customs attended with a report as to the ship seized by Captain Talbot in Jamaica, and were ordered to take the Attorney-General's opinion thereon.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 62-65.]

April 30. **1,227.** Commissioners of Customs to Lords of the Treasury. We have considered the proposal of the Governor and Council of Virginia that they be granted power to fix the value of foreign coin. We would refer you to our report of 27 September 1684, on an Act of Nevis for raising the price of money, and would add that no rate can in our opinion be set upon money except according to its intrinsic worth, nor any price upon goods except to rise and fall according to the scarcity and plenty. Should pieces-of-eight and the foreign coins be advanced beyond their worth by an Act in Virginia it would be a great hindrance to trade, and instead of a general benefit conduce only to the advantage of particular persons, who will by this means be enabled to defraud their creditors by paying less for their debts than they contracted for. It is proposed that all the King's dues should be advanced proportionably with the advance on foreign coin; but if money be frequently altered in value in this way the King's revenue must be subjected to frauds and difficulties of collection. We cannot, therefore, advise the passing of this Act. *Signed,* D. North, Jo. Werden, N. Butler, J. Buckworth, T. Chudleigh. 2 *pp. Endorsed.* Recd. 3 May. Read 18 May, 87. [*Col. Papers, Vol. LX., No.* 31, *and Col. Entry Bk., Vol. LXXXIV., pp.* 134, 135.]

April 30. Council Chamber. **1,228.** William Blathwayt to Henry Guy. Forwarding a representation from the Royal African Company concerning the negro trade in the Leeward Islands, that the Commissioners of the Treasury and the Customs may state their objections, if any, thereto. *Draft, with corrections.* 1 *p. Endorsed.* The memorial was sent with this letter but never returned, nor was anything further done in the matter. [*Col. Papers, Vol. LX., No.* 32.]

[April.] **1,229.** Petition of the Royal African Company. Praying for orders to the Governor to put a stop to a practice of introducing negroes into the Leeward Islands from St. Eustatia. *Copy.* 1 *p. Endorsed.* Read in Committee 19 July 1687. [*Col. Papers, Vol. LX., No.* 33.]

[April.] **1,230.** Declaration of the Royal African Company of 28 December 1672, stating their prices for the delivery of negroes. *Printed sheet.* [*Col. Papers, Vol. LX., No.* 34.]

April 30. Whitehall. **1,231.** Order of the King in Council. That the Attorney-General cause the proprietors of Maryland and the Colonies of Connecticut and Rhode Island to be prosecuted on the writs of *Quo Warranto* ordered on 10 and 17 July last. [*Col. Entry Bk., Vol. LII., p.* 109.]

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April.

1,232. Captain St. Loe's answer to the complaints of Sir James Russell (*see No.* 1,111). (1.) My orders from Sir James of 19 April 1686 were to cruise to leeward after a Spanish pirate, which I did, and finding intelligence of him, pursued him to Porto Rico. Finding no sign of him in the islands I sent my lieutenant in a boat to the Governor of Porto Rico to ask leave to wood and water and enquire privately after this pirate. What ensued has already been related at length (*see No.* 678v.). I am surprised that my action on that occasion should now be brought against me by Sir James as a crime, and that he should ascribe my hard usage by the Spaniards to the fact that I went there without his orders. I grant that his orders did not name Porto Rico, but they did tell me to pursue the pirate, and I conceived it my duty to follow him thither. It is unknown that the same instructions should order me to cruise, and yet tie me to a certain place. If his orders had confined me to certain latitudes it would have been a crime in me to have left them, but his orders were general, to pursue the pirates. (2.) My next crime is that I sent a sloop with provisions to Statia without leave. I can only say that the King's Commissioner of Customs, Henry Carpenter, having knowledge of frauds on the revenues by Dutch vessels lying at Statia, asked me to send a sloop to lie in that roadstead to see what vessels there were there that shipped sugar for the British West Indian Islands. As to his wearing the King's flag, I know nothing of it, and see no great crime in it since he was employed in the King's service. The provisions were all or nearly all brought back to Nevis. I think Sir James ought rather to have sent a ship to Statia himself than to have blamed me for doing that duty. (3.) As to my carrying Captain Sharpe from place to place, I can only say that when I received Sir James Russell's orders I went to Bermuda, examined Sharpe's commission, and, finding it wanting, seized him and his ship and crew, and asked the Governor daily to call a Court to try him. The Governor declined, having the King's orders to call no Court till further orders. I therefore took him and the ship to New England and desired the President several times to call a Court, but without result, so that I was forced to detain him, which was in accordance with my orders. (4.) Then I am accused of going to Barbados and cruising for three weeks for recreation. I grant this was not in my orders. I steered a course well to eastward from New England to avoid the shoals of Bermuda and Barbuda and touched at Barbados to water, the water there being wholesomer than any to leeward, and to try and find witnesses against Sharpe. The Lieutenant Governor having intelligence of the pirate Grammont, ordered me to stay and escort him to St. Lucia, which is in accordance with the King's orders. I then returned to my station. I know of no crime here. It is true that I am placed under the orders of the Governor of Nevis and the rest of the Caribbee Islands, but I am not thereby released from the obligation to obey Lieutenant Governor Stede's orders. In Sir James Russell's orders I am instructed to do a great many things and return by 20th October, without regard to wind and weather. My journal will show that I could not have returned earlier than I did. (5.) My next offence is that

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of asking Sir James Russell for powder, though he had already given me thirty barrels and could not understand how they were expended. I can only refer to the moderation of my expense of powder ever since I have been a commander, as shewn by my gunners' accounts. It is my duty to keep my ship fit for service. As to wanting a better pen to describe my insolencies, Sir James Russell's pen could have particularised them, if true, with as much ease as the other charges. (6.) Lastly, as to the occasion of sending the ship home in February. Her stores, says Sir James, were exhausted, or at any rate would not have carried her home, and she was short of ammunition. She had, as a matter of fact, three months' provisions, and did not want a great deal of ammunition. She was in good order, and fit to remain on the station. I told Sir James so, and offered to buy powder at Barbados, but he refused, saying he would not trust the King one penny, and that I must go home. So he sent us home, and we met with such weather that the ship was much shaken, and there was nearly as much danger of losing her and all on board as at Porto Rico, for which he blames me so much. *Signed*, G. St. Loe. *Holograph.* 6 *pp.* *Endorsed.* April 1687. Read at Committee 19 July 87. [*Col. Papers, Vol. LX., No.* 35, *and Col. Entry Bk., Vol. XLVII., pp.* 254-258.]

May 2. Treasury Chambers. **1,233.** The Secretary to the Treasury to William Blathwayt. Forwarding report of Commissioners of Customs of 30 April (*see No.* 1,227). *Signed*, Hen. Guy. $\frac{1}{2}$ *p.* [*Col. Papers, Vol. LX., No.* 36.]

May 3. **1,234.** Lease of the office of Secretary of New England by Edward Randolph to John West for four years at £150 a year. *Copy.* 3 *pp.* *Endorsed.* Recd. 10 October 87. [*Col. Papers, Vol. LX., No.* 37.]

May 4. **1,235.** Copy of the King's Commission to John Usher to be Treasurer and Receiver General of New England. *Certified by* John West. $1\frac{1}{2}$ *pp.* *Endorsed.* Recd. 26 May 88. [*Col. Papers, Vol. LX., No.* 38.]

May 4. **1,236.** Minutes of Council of New England. John West admitted deputy-secretary. Thomas Waters, a condemned felon, reprieved. Order for juries to be returned for the Superior Court of Essex. Fees of the secretary's office referred to a Committee for report.

May 6. Bills for regulating assize of cask, for regulating of cattle, corn, and fences, and for regulation of weights and measures ordered to be engrossed. Order for return of juries for the Superior Court of Charlestown. [*Col. Entry Bk., Vol. LXIV., pp.* 121, 122.]

May 5. Newhaven. **1,237.** John Palmer and James Graham to Governor Dongan. Our voyage was delayed by contrary winds till Sunday last. We arrived at Fairfield on that evening and discoursed with Major Guild and several others of the advantages of a surrender of their charter. We did the like at Milford and here, and find them all of one mind, that it is their interest and expectation to be

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joined to New York. But they are so foolishly fond of their charter that they will only be passive and not active; they will submit if the charter be taken from them but they will not surrender it. The Governor is very zealous for promoting your advice. The Council, without the knowledge of the deputy, has already written to the Secretary of State on the whole matter, surrendering their interest to the King's pleasure, and informing him that the deputy is responsible for the obstruction of the rest. On the whole we believe that the King will be forced to proceed to judgment against them, so that it will be your interest to make court at home for accomplishing the matter, their agent having in his last informed them that it was discoursed at Whitehall to annex all to westward of Connecticut to New York. The rest is not worth desiring. We are afraid that their agent, for his own private gains, is a great cause of their stubbornness. We are going to Hartford, however, and shall do our best to persuade them to take your advice. *Signed*, J. Palmer, Ja. Graham. *Copy. Certified by* J. Swinton, secretary. 1¼ *pp.* [*Col. Papers, Vol. LX., No.* 39.]

May 6. Whitehall. **1,238.** Order of the King in Council. Admitting the appeal of Captain Charles Talbot from the judgment of the Court of Jamaica as to the seizure of the ship "Swallow." *Signed*, Wm. Bridgeman. 1 *p. Annexed*,

1,238. I. Petition of Captain Charles Talbot, H.M.S. "Falcon," to the King. I seized the pink "Swallow" for illegal trading, being a foreign built ship, but she was acquitted by the Admiralty in Jamaica as free within the tropics in virtue of a former condemnation of that Court. The judgment is shewn by the Commissioners of Customs to be illegal. I beg to be allowed to appeal to your Majesty in Council. *Copy.* 1 *p.* [*Col. Papers, Vol. LX., Nos.* 40, 40I., *and (order only), Col. Entry Bk., Vol. XXXII., pp.* 4-6.]

May 7. **1,239.** Bond of Francis Shepheard for the appearance of Lucas Santen before the Lords of the Treasury and of Trade and Plantations from time to time as required. 1 *p. Endorsed.* [*Col. Papers, Vol. LX., No.* 41.]

May 7. **1,240.** Similar bond of Lucas Santen, in the sum of £4,000. [*Col. Papers, Vol. LX., No.* 42.]

May 7. **1,241.** Similar bond of Francis Chamberlain. 1 *p. Endorsed.* 1 *p. Endorsed.* [*Col. Papers, Vol. LX., No.* 43.]

May 7. **1,242.** Minutes of Council of Maryland. Henry Brent appointed Deputy Surveyor General in lieu of Thomas Taylor. Order for Taylor to make over to him the records of his office, and for Mr. Brent to take over the duty. [*Col. Entry Bk., Vol. LIV., pp.* 95-97.]

May 9. **1,243.** Minutes of Council of Maryland. On the proposed appointment of Allan Smith to be Sheriff of Kent County, the displacement of Edward Sweatnam and the putting in of Mr. Smith was ordered. [*Col. Entry Bk., Vol. LIV., pp.* 97, 98.]

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May 10. **1,244.** Minutes of Council of New England. The three Acts engrossed on May 6th were passed. Act for destroying wolves approved. Act concerning possession debated.

May 11. Act for destroying wolves passed. [*Col. Entry Bk., Vol. LXIV., pp.* 122, 123.]

May 12. **1,245.** Minutes of Council of Maryland. The sheriffs for 1687 were appointed as follows:—

Calvert County—Michael Faney.
Charles County—Robert Doyne.
Baltimore County—Thomas Long.
Cecil County—William Pearce.
Kent County—Allan Smith.
St. Mary's County—Garrett Van Sweringen.
Talbot County—Peter Sayer.
Arundell County—Henry Hanslapp.
Dorchester County—Edward Pindar.

[*Col. Entry Bk., Vol. LIV., p.* 98.]

May 13. Hudson's Bay House. **1,246.** The Hudson's Bay Company to [the English Treaty-Commissioners?] You have doubtless heard of the many insults committed by the French on the King's subjects in Hudson's Bay, and of our repeated petitions for redress. The King promised us reparation in his gracious letter of February last, and we have therefore prepared fresh supplies of provisions for our factors and fresh cargoes of merchandise. But we must beg your attention to the following points. (1.) Our usual time for despatching ships is at the beginning of May, for if not early despatched they will be frozen in. (2.) We have delayed them as long as possible this year by reason of the treaty you are now entering on, but our contract is that the ships shall sail at latest on the 25th instant, and if we detain them we are liable for demurrage, to say nothing of loss of one voyage. We know that the settlement of the treaty will take time, so we ask only for a positive mandate from the French Plenipotentiary for the restoration of the ships, forts, merchandise, etc., taken from us. This, we think, will hardly be refused, for the French never claimed nor visited the territory until last summer, when they destroyed our factories. If our servants could live at Hudson's Bay without provisions it would be most imprudent of us to send any ships thither without such a mandate; for the French will have received the Treaty of Neutrality, and will therefore treat our men as enemies, and then we shall find it very difficult to engage hired ships and crews that will expose themselves to the risk. *Signed*, E. Dering, Dep. Governor, Jo. Husband, Wm. Young, Rich. Cradock, Jo. Letten, Stephen Pitts, Mi. Hayward, Sam. Clarke. [*Col. Entry Bk., Vol. XXV., pp.* 8-10.]

[May 13.] **1,247.** Lords Proprietors of Carolina to Governor James Colleton. We have agreed to grant Mr. John Price forty thousand acres of land on certain conditions herewith transmitted to you. *Signed*, Craven, Albemarle, Bath (for Lord Carteret), P. Colleton, John Archdall, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 113.]

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May 15. Whitehall. **1,248.** The King to Lieutenant George Beach, R.N. We are advised that the ship "Hardereen," taken by Captain Temple at St. Vincent, should not be deemed a prize. You will therefore have her carefully appraised and handed over to the custody of the Governor of Barbados for restoration to the owners. Any part of her cargo or fittings that have been disposed of must be recovered and also handed over to the Governor, and if the goods cannot be recovered, then their value in money; though the usual payment for salvage will be allowed to you and to your crew. *Countersigned*, S. Pepys. *Copy.* 3½ *pp.* [*Col. Papers, Vol. LX., No.* 44, *and Col. Entry Bk., Vol. VII., pp.* 416-418.]

May 17. **1,249.** Minutes of Council of Nevis. Sir Nathaniel Johnson's Commission was read. [*Col. Entry Bk., Vol. XLVIII., p.* 147.]

[May 17.] **1,250.** Address of the Mayor and Corporation of New York to the King. Humble thanks for the preservation of the ancient rights of the city. Our trade is much decreased by the impetuous encroachments of East and West Jersey, Pensylvania, and Connecticut. The efforts of the Governor have been our only protection. An address from the Governor and Council and a map sent with it will, we doubt not, convince you of the absolute necessity that the adjacent parts of Connecticut, the Jerseys, and as much of Pennsylvania as extends from the falls of the Susquehanna should be added to this province. This will not only secure the government, but will be formidable to all enemies and of great profit to the Treasury. We beg to lay before you the late encroachments of the French upon our Indian trade on pretence of promoting the Christian faith. The Indian trade is the best branch of your revenue; and the means suggested by the Governor will certainly restore it to its former channel. We understand that certain ill people have brought charges against the Governor, that he had given the dock to this city to the prejudice of the inhabitants. This is wholly false. The dock was made by the inhabitants and is maintained by them. We are contented with our Charter, and no one finds fault with it except those who raise these charges. *Signed*, N. Bayard, mayor, B. Bayard, assistant, Ja. Graham, recorder, John Wolfe, town clerk, R. D. Lanoy, assistant, W. M. Cox, assistant, Thomas de Key, assistant, Johannes Haisellenhoig, assistant, Johannes Vanbrugge, François Rombouts, W. Cortlandt, Thomas Crundall, Isaac van Vlecq, aldermen. *Postscript.* Asking for suppression of the peltry trade in Pennsylvania. *Large sheet. Endorsed.* Recd. 17 May 87. *Printed in New York Documents III.*, 424, 425. [*Col. Papers, Vol., LX., No.* 45, *and Col. Entry Bk., Vol. LXVIII., pp.* 153-158.]

May 17. **1,251.** Journal of Assembly of Barbados. Bill for duty on shipping considered. Carried that it come into force next July. The Bill was then passed. An Act to continue expiring Acts passed. Adjourned to 14 June. [*Col. Entry Bk., Vol. XIV., pp.* 169, 170.]

May 17. **1,252.** Minutes of Council of Barbados. Precepts ordered to be drawn for holding Grand Sessions on the 7th June. The Lieutenant Governor acquainted the Council of several affronts

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and abuses against him published by Sir Timothy Thornhill. Ordered that Sir Timothy be summoned by the Provost Marshal to answer for the same. Orders for sundry payments for fortifications, and for a negro executed.

May 18. Sir Timothy Thornhill was brought before the Council, and failing to clear himself, was committed to custody. Order for payments on account of fortifications. Edward Cranfield sworn of the Council. [*Col. Entry Bk., Vol. XII., pp.* 40-43.]

May 18. Whitehall. **1,253.** William Blathwayt to the Secretary for the Treasury. Forwarding the Virginian Acts for the appointment of ports, and for restriction of planting tobacco for report of the Commissioners of Customs. *Signed,* William Blathwayt. 1 *p.* *Annexed,*

1,253. I. Copy of the Act for restriction of tobacco planting. 3½ *pp.* [*Col. Papers, Vol. LX., Nos.* 46, 46I.]

[May 18.] **1,254.** *Memorandum.*—The French King having appointed M. de Barillon and M. de Bonrepaux Commissioners to adjust all differences between the two nations in America, his Majesty appointed the Earls of Sunderland and Middlesex and Lord Godolphin as Commissioners to meet them. The first conference was held 18 May. [*Col. Entry Bk., Vol. LXIX., pp.* 166, 167.]

May 18. **1,255.** Memorial of Mons. Barillon and Mons. Bonrepaux. We are ordered by the King our master to ask satisfaction for the proceedings of Captain Temple in making a descent upon St. Lucia and driving the French from it contrary to the Treaty of Breda and the good understanding between the two Crowns. These proceedings are the more remarkable since the French, by the King's purchase of the island in 1650, have been the sole occupants and possessors of the island. The English, it is true, have made descents on the island, but no settlement. In 1664 the Governor of Jamaica drove the French from it, but he afterwards invited them to return. The island is now secured to the French Crown by the 12th article of the Treaty of Breda in 1665, apart from its restoration by the English in 1669. 2 *pp.* *French.* *Endorsed.* Given in 18 May 1687. [*Col. Papers, Vol. LX., No.* 47.]

May 18. **1,256.** Copy of the preceding. 2 *pp.* [*Col. Papers, Vol. LX., No.* 48.]

[May 18.] **1,257.** Petition of the Hudson's Bay Company to the King. The ports and places within Hudson's Bay were first discovered by English subjects. We have traded thither for over twenty years and expended two hundred thousand pounds on erection of forts and factories. We were never disturbed until 1682 when Mons. de la Cheney and other private merchants of Canada, without any commission, burnt our buildings and robbed us of our trade at Port Nelson. Several memorials on the subject were sent to the Court of Versailles by the late King. In November 1685 we renewed our complaints, having received intelligence that the French had seized one of our ships and carried her to Quebec. The French King answered that he would order an enquiry and reasonable redress, but instead of that several of the

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crew were kept prisoners at Quebec on bread and water for eleven months, and then sent slaves to Martinique. This is proved by the evidence of the mate, Richard Smithsend, who escaped from Martinique, and is arrived in London. In February 1686 we again brought our case before your Majesty, and we hear that a ship has arrived from Canada which must have brought a report to the French King. Your Majesty assured us of your protection, so we have now to represent that within the last ten months we have received repeated intelligence that the French in Canada have despoiled our forts and factories at the bottom of Hudson's Bay, have taken three of our ships, and turned fifty Englishmen adrift in a small vessel to perish. The French, too, have given out to the natives that they mean to have the trade of Hudson's Bay in their own hands. We beg for your protection and your assistance in procuring us satisfaction, and that the French King may be asked to forbid positively any further attacks on our territory. *Signed*, Churchill, Governor. *This document was laid before the Commissioners of the two Crowns at their first meeting in* 18 *May* 1687. [*Col. Entry Bk., Vol. XXV., pp.* 1-7.]

[May.] **1,258.** Memorial presented to the French Commissioners as to the King of England's right to Hudson's Bay. (1.) The northern part of America, where Hudson's Bay lies, was discovered by Sebastian Cabot, holding commissions from King Henry VII. in 1497. (2.) In 1610 Henry Hudson, an English subject, sailed into the straits and bay and took possession. (3.) In 1612 Sir Thomas Button, an Englishman, sailed into the straits and bay and took possession of Port Nelson and the territory adjoining. (4.) In 1631 Captain Luke Fox, by command of King Charles I., made a voyage to Hudson's Bay, entered the river to Port Nelson and found a cross set up by Sir Thomas Button. He then set up a new cross declaring the King's right and possession. (5.) In 1667 one Zachary Gilliam, an Englishman, sailed to a river in the bottom of the bay and called it Rupert river in honour of Prince Rupert. He built a fort there called Charles Fort. (6.) In 1669 Captain Newland entered Port Nelson and declared the King's right thereto. (7.) In 1670 the King gave a charter to the Hudson's Bay Company and made over the territory to them. (8.) In 1673 Charles Bayly was sent by the Company as Governor of the factories there, and maintained good correspondence with Mons. de Frontenac, the Governor of Canada, without any complaints of injury done by the Company. (9.) In 1680 Captain Draper, with one of the Company's ships, entered Port Nelson. (10.) In 1682 the Company's factors built a fort and were settling a factory in Port Nelson when they were first disturbed by the French, the adventurers having spent nearly £200,000 during the past twenty years in building forts and factories. (11.) The King's right, therefore, may be deduced without any interruption or dispute till 1682, and is confirmed by subsequent treaties, in particular by that of 16 November 1686. If any objection be made to the facts and agreements herein set forth, the Company begs for an opportunity of making a reply. 3 *pp. Endorsed.* 1687. [*Col. Papers, Vol. LX., No.* 49, *and Col. Entry Bk., Vol. XXV., pp.* 14-17. *French translation, ibid., pp.* 11-14.]

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May 18. **1,259.** Journal of Lords of Trade and Plantations. Lord Howard of Effingham's letter of 22 February read (*see No.* 1,143). The Lord President desired to move the King to confirm the suspension of Colonel Ludwell and the appointment of Mr. Allerton to the Council in his stead. Report of the Commissioners of Customs as to foreign coin in Virginia read (*see No.* 1,227). The Lords concurred with it, and asked the King's directions thereon. Lord Howard's and Mr. Spencer's letters of 2 February read (*see No.* 1,118), and referred to the Commissioners of the Treasury together with the bill for appointing ports in Virginia.

Petition of Robert Orchard read. The Lords agreed to recommend his case to Sir Edmund Andros for enquiry and redress. Letter from the Colony of Connecticut of 26 January read (*see No.* 1,197vi.). The Lords agreed on this report (*see June* 18). The Lords desired to know the King's pleasure as to the writs of *Quo Warranto* issued against several Corporations in America.

Colonel Dongan's letter of 22 February read (*see No.* 1,146). Also addresses from the Indians of August 2, 1684, from the Commissioners at Albany, from the French Protestants, and from New York City were read. Colonel Dongan to be ordered to transmit the names of the Protestants. Petition of John Palmer read respecting a farm in East New Jersey, and referred to the Lords of the Treasury, together with the petition of the Judges for increased salary.

Draft circular ordering the publication of the Declaration of Indulgence read and approved.

Colonel Molesworth's letter of 9 February read (*see No.* 1,127). Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 66-80.]

May 18. **1,260.** Circular. Lords of Trade and Plantations to the Governors of Colonies. Ordering the publication of the Royal Declaration of Indulgence. *Signed*, Jeffreys, Sunderland, Arundell, Albemarle, Powis, Bath, Middleton, Huntingdon, Preston, J. Ernle. [*Col. Entry Bk., Vol. XCVII., pp.* 238.]

May 19. **1,261.** The King to Lieutenant Governor Stede. Ordering Robert Rich to be sworn of the Council of Barbados. [*Col. Entry Bk., Vol. VII., p.* 435.]

May 20. New York. **1,262.** Governor Dongan to the Earl of Sunderland. Since my last the Council has decided to send Judge Palmer, Dr. Butler, and Mr. Graham to Connecticut with instructions to get them to submit. I have received the enclosed shewing the result. The people themselves, knowing the necessity for the giving of Connecticut to New York, make no objection, but are rather forward for it in case they lose their charter, which they cannot expect to keep. They had resigned it before now but for their solicitor in London, who for his own sake buoys them up against surrender. Sir Edmund Andros cannot well deny that Connecticut is necessary to New York, for reasons shewn in my answer to the queries (*see p.* 329). The only objection made is that if Boston have not Connecticut it will be undone for want of corn, but that is mere pretence. They can be as well and as freely supplied with corn

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if Connecticut be under this government as they are now. Boston can load thirty or forty ships a year for Europe, whereas we cannot load above three, and those only with whale-oil taken at the east end of Long Island, which they are angry that they cannot take from us. We must have exports to England to buy linens and woollens, which they make for themselves. Our people would do the like if permitted. Again, all the King's revenue comes by our trade, and we are very honest in obeying the Navigation Acts. I send you the proposals made by the Maquas, which will shew you how necessary it is to send some religious men among the Indians. The great dispute between the French and us is which shall have the Five Nations, and their priests are a great advantage to them. I have certain information that if our people, who are gone to the few Indians, can prevail with them to come to Albany, we shall take the trade from the French. I am sorry to say that we have not yet done finding out Mr. Santen's faults. Not a farthing of the outstanding debts which he spoke of is to be had. The present managers of the revenues will, I hope, obtain more from it than has ever been obtained yet, and I am sure that it is necessary, for I am in debt head over ears in the King's account and my own, it having been my misfortune to come to a place where everything was out of repair. Truly this place is expensive, and everything very dear. If the King would raise my salary to the rate of other Governors here, it would be no more than reasonable, for their perquisites are infinitely larger than mine, and their expense much less. *Signed,* Tho. Dongan. 2 *pp.* *Annexed,*

1,262. I. The Governor of Connecticut to Governor Dongan. Hartford, May 12, 1687. I have communicated yours of 12 April to the Assembly, Judge Palmer, Dr. Butler, and Mr. Graham being present. We thank you heartily for your friendly advice. We do not see our way at present to be active in any change, but leave matters where they are, in the King's hands. Your continued neighbourhood is very acceptable to us, but if you should return to England we beg you to solicit the King for us to leave us as we are, or if that may not be, to annex us to some government. It would be very prejudicial and indeed destructive to some plantations to divide our Colony. We beg also that we may have liberty to worship God according to our consciences, and that our property may be continued to us, and that we may have free trade, paying the King's customs. *Signed,* R. Treat. *Holograph.* ½ *p.*

1,262. II. Propositions made by certain Sachems of the Maquas to the Magistrates of Albany, 15 April 1687. (1.) We are come according to the ancient custom. We cannot forbear to acquaint you of the pains that the Jesuits take to entice our Indians to Canada upon pretence to convert them to their religion. We desire it to be hindered. We wish your people a happy journey to Ottawa and hope they will do no harm to anyone; then they will go in peace. *Here they gave a belt of wampum*

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twelve deep. (2.) Renew the covenant of the Governors of Boston, Maryland, and Virginia with the Five Nations. *Here they gave a belt of wampum thirteen deep.* (3.) You, Corlaer, are the head of the covenant; let its chain be kept bright. We come to grease it that it rust not. *Here they gave a belt of thirteen deep.* (4.) We have now renewed the covenant. Our old Sachem Canondondawe is dead, and Tahaiadoris is come to perform the ceremony in his stead. (5.) Another complimentary speech, and the gift of a fathom of wampum. ANSWER TO THE MAQUAS.—We shall send to the Governor General, and if the Jesuits strive to entice away your Indians, you are Sachems, you must not allow them to go. Tell them that if they leave their country with the Jesuits they will anger Corlaer exceedingly. Our people going to Ottawa will do you no harm. You never find the covenant on our side rusty, but always bright. *Here was given 25 fathom of wampum string and one cask of rum. Certified copy.* 2½ *pp.* [*Col. Papers, Vol. LX., Nos.* 50, 50I., II.]

May 21.
Virginia.

1,263. The Secretary of Virginia to Lords of Trade and Plantations. I send the minutes of Council. Everything is quiet here. *Signed*, Nichs. Spencer. *Holograph.* ¾ *p. Endorsed.* 5 August 87. [*Col. Papers, Vol. LX., No.* 51, *and Col. Entry Bk., Vol. LXXXIII., p.* 144.]

May 21.
Virginia.

1,264. Governor Lord Howard of Effingham to the Earl of Sunderland. The ungovernable tempers of certain persons have forced me to trouble you again thus early. Some officers of H.M.S. Deptford, whereof Captain Crofts is commander, came to me and complained of his ill usage of them and of some misdemeanour committed aboard the ketch by one whom he owned as his wife, to the hazard and danger of the ship and ship's company. I accordingly summoned Captain Crofts before me on the 21st April to decide the differences between them, but Captain Crofts neglected to obey my orders, and sailed away to Maryland. Finding that he did not intend to comply with them, I sent an order to him at Patuxen to appear before me on 28 April at Jamestown to answer the complaints of Mr. William Martin, merchant of Plymouth, and of William Gynnes, master of the ship "Daniel and Elizabeth." He not only refused to receive and obey the order, but treated the officer charged with the message as you will see by his letter. The letter is somewhat damnified by getting wet in the messenger's pocket, but I thought it better to send it rather than a copy. Captain Crofts showing himself so absolute and desperate, I ordered Captain Allen, of H.M.S. Quaker, then lying in James river, to attend me that I might advise with him as Crofts's superior officer as to what should be done. As he was too ill to come, I summoned a Council, the proceedings of which are enclosed. Captain Crofts has so frequently used unruly and unworthy discourse of the King's Commission to me that I wonder he has not sooner turned his words into acts. I reproved him sharply before some few of the

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Council in private last spring, adding warnings which he received at the time with thanks and promises of amendment. But I cannot suffer the authority of this government thus to be lessened. *Signed*, Effingham. *Holograph.* 2½ *pp.* *Endorsed.* Recd. 10 August 87. *Enclosed,*

1,264. I. Deposition of Reuben Bennett, gunner of H.M.S. Deptford. As to a quarrel between Captain Crofts and his wife, when, after throwing everything in the cabin down to destroy it, she at last threw the fire in the hearth on to the floor of the cabin. The sailors then complained to deponent and asked him to protest. Deponent ascertained the truth from the cabin boy, and gave him orders to let him know if fire was ever thrown about in the cabin again. Presently the boy came and said that she was throwing it about again. Some time after, deponent, the cockswain, and the boatswain protested to Captain Crofts against the danger of allowing such things to be done, whereupon the Captain called him rogue and rascal and threatened to break his head and threw a can of water at him. Further evidence that Captain Crofts had repeatedly beaten and abused deponent, and refused him his allowance of provisions. *Signed*, Reuben Bennett. 2 *pp.*

1,264. II. Deposition of John Abbott, carpenter's mate of H.M.S. Deptford. Complaining of the stoppage of his allowance of food and other ill-treatment by Captain Crofts. 1 *p.*

1,264. III. Deposition of John Wood, boatswain of H.M.S. Deptford. As to an attack made on him by Captain Crofts with a drawn sword, for no reason whatever, and the stoppage of the King's allowance of provisions to the ship's company, so that they would have been starved but for the relief given by the planters. ½ *p.*

1,264. IV. Deposition of John Will. As to the extortion of money by Captain Crofts from a ship's master under threats. Sworn 14 March 1686-7. ½ *p.*

1,264. V. Lord Howard of Effingham to Captain Crofts, April 11, 1687. I hear that you are sailed out of the bay. I hope that you do not mean to evade my order to attend me. *Signed*, Effingham. ½ *p.*

1,264. VI. Lord Howard of Effingham's order in the King's name to Captain Crofts to appear in the Council Chamber at Jamestown on 28 April. *Signed*, Effingham. *Seal of Lord Howard, a good impression, but broken.*

1,264. VII. Lord Howard's order for the delivery of the preceding to Colonel Isaac Allerton, 12 April. Colonel Allerton's further order to his emissary, 14 April 1687.

1,264. VIII. Benjamin Blanchflower to Colonel Allerton, 18 April. Your letter was delivered to Captain Crofts on the 15th, as he was going on board the ketch at Wichacommow, Maryland. The messengers could get nothing from him but "sirrah" and threats to break their heads, but at last he bade them go on board the ketch, where

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he told them that they might take the letter to the place whence it came, and deliver a rude message to the man who sent it. 1 *p.* *Much stained.*

1,264. IX. Lord Howard of Effingham's order to Captain Thomas Allen, of H.M.S. Quaker, to attend him, 22 April *Copy.* 1 *p.*

1,264. X. Captain Thomas Allen to Lord Howard of Effingham. Excusing himself from attendance on the plea of illness, 23 April 1687. *Copy.* 1 *p.* *Endorsed.* Recd. 4 August 87.

1,264. XI. Petition of William Gynnes, master of the ship "Daniel and Elizabeth," to Lord Howard of Effingham. Complaining of the extortion of money and goods from him by Captain Crofts, who stopped his ship without the slightest cause, everything being regular. Crofts took to the value of £60 from him. 1 *p.* *Endorsed.* Recd. 10 August 1687.

1,264. XII. Declaration of the same William Gynnes to the same effect in greater detail, April 25, 1687. *Large sheet. Endorsed.* Read 10 August, 1687.

1,264. XIII. William Martyn to Nicholas Spencer. Recapitulating, as owner, the complaints of Gynnes as captain of the "Daniel and Elizabeth." *Copy.* 2½ *pp.* *Endorsed as the preceding.*

1,264. XIV. Deposition of Francis Jones, servant to William Martyn. As to a bill drawn by Gynnes for Captain Crofts, Gynnes thinking it better to pay him so much, than allow the ship to be unladen, 25 April 1687. *Attached.* Copy of Crofts's certificate of clearance for the "Daniel and Elizabeth." 12 May 1686. 1 *p.* *Endorsed as the preceding.*

1,264. XV. Extract of minutes of Council of Virginia. Jamestown, 25 April 1687. The Governor laid before the Council the behaviour of Captain Crofts. The Council unanimously agreed that it be represented to the King, the daily complaints of merchants against Captain Crofts, showing him to be intolerable. 2¼ *pp.* *Endorsed as the preceding. Entered in Col. Entry Bk., Vol. LXXXIII., pp.* 171-174. [*Col. Papers, Vol. LX., Nos.* 52, 52I.-XV., *and (covering letter only), Col. Entry Bk., Vol. LXXXIII., pp.* 162-167.]

May 21. 1,265. Minutes of Council of New England. Robert Mason and John Greene sworn of the Council. Order for the King's declaration for liberty of conscience to be published. Order for cancelling Mr. John Usher's bond to the deputy president for some wines seized. Mr. Randolph's account for fees for several commissions referred to a Committee. [*Col. Entry Bk., Vol. LXIV., pp.* 123, 124.]

May 23. Boston. 1,266. John West to William Blathwayt. I enclose copies of the laws made since my appointment as Deputy Secretary by Mr. Randolph. I am gratified by your approbation of my services while I was Secretary at New York. *Signed*, John West. 1 *p. Endorsed.* Recd. 19 July 87. [*Col. Papers, Vol. LX., No.* 52, *and Col. Entry Bk., Vol. LXI., p.* 356.]

May 23. Boston. **1,267.** Memorandum of the persons commissioned as Judges of the Superior Court of Judicature of New England, viz., Joseph Dudley, William Stoughton, Peter Bulkeley. The last named had not yet officiated by reason of sickness. ½ *p. Endorsed.* Recd. 19 July 1687. [*Col. Papers, Vol. LX., No.* 53, *and Col. Entry Bk., Vol. LXI., p.* 352.]

May 25. **1,268.** Minutes of Council of New England. Act as to the purchase of land from Indians ordered to be engrossed. Bills ordered to regulate the assize of boards and to forbid the keeping of schools without permission. Order for the records of the last Government to be brought to the secretary, for a small vessel to be kept for the King's service on the coast, and that licences for public houses shall be granted in open Sessions. A bill concerning wills read. Mr. Randolph's account for fees for commissions to be paid. His table of fees for the Customs Office approved. [*Col. Entry Bk., Vol. LXIV., pp.* 124, 125.]

May 26. **1,269.** The Secretary of Virginia to the Earl of Sunderland. All is quiet and trade is flourishing, as the returns of the King's dues will shew; but I have to bring before you the ill behaviour of Captain Crofts of H.M.S. Deptford, as shewn in Mr. William Martyn's letter (*see No.* 1,264xiii.). Many merchants have suffered from Captain Crofts, but none have taken so good resolution as Mr. Martyn to have justice done. *Recapitulates the story of Crofts' misdeeds, and urges the ill effects to trade and authority of such conduct as his* (*see No.* 1,264). *Signed*, Nicho. Spencer. *Holograph.* 2½ *pp. Endorsed.* Recd. 10 August 87. [*Col. Papers, Vol. LX., No.* 54, *and Col. Entry Bk., Vol. LXII., pp.* 167-170.]

May 27. Long Island. **1,270.** Governor Dongan to the Earl of Sunderland. Judge Palmer and Mr. Graham are just returned from the General Court at Hartford. They had so far persuaded the Assembly to surrender their charter and be annexed to New York that the letter to that effect was actually written and waiting to be signed. Then, however, some of their clergy came among them and overthrew all that they had done, telling them that it would be a grievous affliction to them to whatever province they were annexed, but that if they received it as they ought it might be sanctified to them and turn to their advantage; they should, therefore, not be active themselves, for then they might expect utter desolation, with such like canting expressions. Whereupon the Assembly sent the letter which has been enclosed to you (*see No.* 1,262i.). As to the Governor's requests, the King should not grant too many ports, for they require more officers than the revenue will bear. What they say about payment of customs is a renewed argument for the annexation of Connecticut to New York, for our revenue is raised in that way, whereas that of Boston is raised

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on lands and heads. Our situation and our need of English to balance the Dutch are equally strong arguments. I hear from some of the Council of Connecticut that they will not submit till their charter be voided. The King has given away to Boston a great part of this government to the eastward; and unless Connecticut be added the province will be very inconsiderable. *Signed,* Tho. Dongan. 2 *pp.* [*Col. Papers, Vol. LX., No.* 55.]

May 27. Barbados. **1,271.** Lieutenant Governor Stede to the Earl of Sunderland. I have only lately received your commands in favour of Sir William Booth and Captain James Kendall relating to a very unhappy consignment of convicted rebels made by them. I have done what I could for them, but they have shewn no reasonable cause for revoking the administration granted in Browne's estate, who was one of the factors to whom the convicts were consigned. [*Here follow elaborate details.*] I have duly published the Treaty of Neutrality; but in spite of all my measures I have still the same contest with the French over St. Vincent, St. Lucia, and Dominica, who continue their claim to these islands, and send men to cut wood, hunt, and fish there, whenever H.M.S. Mary Rose is not there. They say the islands belong to them, though when the treaty was made at Whitehall I was actually in possession of the islands, and had driven the French from them. Shortly after I sent a fleet of merchant ships under convoy of the Mary Rose to cut timber there. They stayed from November till January, and while they remained no French ships were allowed to come there; but directly they were gone the French came back. I therefore sent Captain Beach, of the Mary Rose, to remove the French again from these islands, destroy the new settlements, and inform the French that if they came again, after proclamation of the Treaty of Neutrality, their vessels and goods would be made prize. Yet I am told that they have returned, and are going on as before, but I shall send the frigate to remove them again, and to confiscate anything of value. I have ordered Sir Timothy Thornhill's trial for the 7th of June. Due punishment of such hotheaded, furious, and disorderly subjects as he would have a good effect. He is the most profane and execrable and extravagant swearer, drinker, bad-company-keeper in the island, and since he was bound over to good behaviour has behaved worse than ever by spreading false and unjust reports of me. For this the Council committed him; but even now, as his trial draws near, he defies all things and persons that are not his friends. What ground he has for confidence I know not, for his late ill-carriage does not bespeak his innocence in the former charge; but he boasts of his interest in England and so concludes that he will be declared innocent there, whatever may happen here. I hope that Sir Thomas Montgomery has acquainted you of my efforts to serve him. Through inadvertence he has been a little misled and engaged to a complacency with Sir Timothy Thornhill, even to neglect of me, but I hope that he will return to the right path. *Signed,* Edwyn Stede. *Holograph.* 6 *pp.* *Endorsed.* Recd. 18 July. Read 19 July 1687. [*Col. Papers, Vol. LX., No.* 56, *and Col. Entry Bk., Vol. VII., pp.* 418-422.]

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May 27. **1,272.** Lieutenant Governor Stede to Lords of Trade and Plantations. We are quiet and fairly healthy, but in great straits for want of rain, which we have been without for five months. There is consequently neither water nor green meat for our cattle, and we fear a great loss among them. The crop, too, is small, and in some plantations they can hardly make sugar, the canes being so spoiled and tainted by the long drought that they have little juice in them; so that is a very hard time in this island at present. I have published the Treaty of Neutrality, but have the same difficulties with the French in St. Vincent, St. Lucia, and Dominica. They visit the islands when we are not there and stir up the Indians against the English, which we suspect is the reason why they cut the throats of eight men of the Mary Rose, though Captain Beach was greatly to blame for the loss of them. I beg for the King's instructions as to these proceedings of the French, and meanwhile shall send the frigate again to the islands. [*Repeats much already written in the preceding letter on this subject, and on that of Sir Timothy Thornhill's behaviour.*] I have received your orders as to cause between Richard Scott and Samuel Dyer. *Signed*, Edwyn Stede. *Holograph.* 4 *pp.* [*Col. Papers, Vol. LX., No.* 57, *and Col. Entry Bk., Vol. VII., pp.* 423-425.]

May 27. **1,273.** Journal of Council and Assembly of Nevis. On the proposal of the Governor and Council the Assembly agreed to the appointment of a joint committee to arrange for the reception of Sir Nathaniel Johnson. The Assembly resolved to petition the King that its grants to Sir James Russell and Colonel William Burt may be confirmed. [*Col. Entry Bk., Vol. XLVIII., p.* 128, *and under date May* 7, *pp.* 137-139.]

May 27. **1,274.** Minutes of Council of Nevis. Captain Michael Smith and Mr. Thomas Cole withdrew from the Council, not being included among the Councillors nominated by the King. Governor Sir Nathaniel Johnson took the oaths of office, and dissolved the Assembly. Order for continuance of officers in their posts. Order for the new Assembly to be sworn, and for the troops to be drawn out in arms on 9 June next. [*Col. Entry Bk., Vol. XLVIII., pp.* 148-151.]

May 28. Hampton Court. **1,275.** Order of the King in Council. For the prosecution of the *Quo Warrantos* issued against Maryland, Connecticut, and Rhode Island. [*Col. Entry Bks., Vol. LII., p.* 110, *and Vol. XCVII., p.* 240.]

May 28. **1,276.** Lords of Trade and Plantations to Governor Lord Howard of Effingham. Ordering him to publish the King's proclamation against pirates. *Signed*, Jeffreys, Sunderland, Albemarle, Arundell, Huntingdon, Mulgrave, Powis, Wm. Bridgeman. *Original.* 1 *p. Endorsed. Memo.* Before this could be sent these powers were recalled by others granted to Sir R. Holmes. ½ *p.* [*Col. Papers, Vol. LX., No.* 58.]

May 28. **1,277.** Lords of Trade and Plantations to the Governor of Bermuda. Ordering him to publish the King's proclamation for the suppression of pirates and privateers. *Signed,* Jeffreys, Sunderland, F. Arundell, Albemarle, Mulgrave, Powis, Bath, Wm. Bridgeman. 1 *p.* *Endorsed.* *Annexed,*

1,277. i. Copy of the proclamation in question. Dated 22 May. 2 *pp.* [*Col. Papers, Vol. LX., Nos.* 59, 59i.]

May 28. **1,278.** Memorandum. That this day the circular letters to Sir Nathaniel Johnson respecting the King's declaration of indulgence and the royal proclamation for suppression of piracy were signed. [*Col. Entry Bk., Vol. XLVII., p.* 262.]

To the Governor of Bermuda. [*Col. Entry Bk., Vol. XVIII., pp.* 101, 102.]

To the Governor of New York. [*Col. Entry Bk., Vol. LXVIII., pp.* 150, 151.]

To the Governor of New England. [*Col. Entry Bk., Vol. LXI., p.* 341.]

To the Governor of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 122, 123.]

To the Governor of Barbados. [*Col. Entry Bk., Vol. VII., p.* 408.]

May 30. **1,279.** Petition of the Proprietors of East New Jersey to the King. We have spent large sums in building a town called Perth, in a harbour within Sandy Hook. Though we are not conscious of any violation of the Navigation Acts, Governor Dongan on 2 November last sent several soldiers to seize a vessel which had just arrived at Perth from Ireland, and made her enter at New York; and he threatens to seize all ships likewise that do not enter at New York. This is an infringement of our privileges, which we by permission to enjoy. *In the margin.* A reference of the case to Lords of Trade and Plantations for report. *Signed,* Middleton. Whitehall, 30 May 87. *Inscribed.* Read 15 June 87. 1 *p.* [*Col. Papers, Vol. LX., No.* 60, *and Col. Entry Bk., Vol. LXIX., p.* 118.]

May 31. Doctors' Commons. **1,280.** Sir Richard Raines to the King. I have examined the case of the ship Resolution, seized by Captain St. Loe. On her arrival in London from Antigua she was arrested by her owner, one Kirwan, and Captain St. Loe failing to give bail in the Court of Admiralty, the ship was decreed to Kirwan. The cause was to have been finally settled on April 21st, but hearing that Captain St. Loe was daily expected, I deferred the sentence. Captain St. Loe came, and on examining his proofs I am of opinion that the ship is English built and free, and therefore Kirwan's property. But the English Court of Admiralty is not a Court of Appeal, so I see no way of relieving Kirwan in this case from the condemnation of the Admiralty Court in the Leeward Islands, except by the royal prerogative 1 *closely written page.* *Endorsed.* Read 15 June 87. [*Col. Papers, Vol. LX., No.* 61, *and Col. Entry Bk., Vol. XLVII., pp.* 266-268.]

[May.] **1,281.** Report of Captain George St. Loe on the defrauding of the royal revenue in the Leeward Islands. There are generally several great ships lying at Statia, any two of them large enough to carry a year's produce of that island. All the rest take in their load for the British Colonies. On their way from Holland they generally touch at all our islands on pretext of watering. They generally stay a week, when all the planters go aboard and not only agree for what is on board, but watch their opportunity to get it ashore, to the loss of the revenue and of the merchants, who, having paid duty, cannot sell so cheaply. Having disposed of their cargoes the ships go to Statia, where they wait for the planters to send their sugar, which they very punctually do, though the English merchants, their creditors for some thousands, cannot get a pound of sugar from them. Most of the islands have so many bays and inlets that it is impossible for the Custom-house officers to check the shipping off of the sugar, and the Dutch ships generally send their long boats to St. Christopher's once or twice a week, on pretence of getting water, though one boat load of water would last them a month, but in reality to load sugar. Being loaded, the Dutch ships sail direct to Holland without paying the King a penny of duty. Brandy and wine are also smuggled into the islands from French St. Christopher's. It is impossible for the Custom-house officers to check this traffic unless they have two or three small vessels, good sailers, to cruise up and down and examine all sloops and boats passing to and fro. *Copy.* 3 *pp.* *Endorsed.* Recd. 19 July 87. [*Col. Papers, Vol., LX., No.* 62.]

May? **1,282.** Father Dablons to Governor Dongan. I learn from letters of the two fathers Lamberville, who are with the Iroquois of Onnontage, of your goodness to them and your protection in their distressing experiences. As they are under my orders they have let me know how far you have pushed your affection for them and the pains that you took to rescue the younger brother from the peril in which he stood. I know that you tried to save them from a thousand outrages to which they are exposed during the drunken debauches of the Indians; in a word they have told me that you spare no pains to procure them the peace necessary for the exercise of their functions, thereby enabling them to send many a soul to Paradise. These are the reasons which oblige me to write and thank you for your good offices, and to entreat you to continue them by the precious blood of Jesus. I do not think that I can ever recognise them as I ought, but I assure you that I shall pray God to be your great reward in this world and the next. *Signed,* Claude Dablons, of the company of Jesus. *French.* 2 *pp.* *Torn.* [*Col. Papers, Vol. LX., No.* 63.]

[May.] **1,283.** Abstract of Lucas Santen's charges against Governor Dongan and of Governor Dongan's answers. *Arranged in parallel columns.* 4½ *pp.* [*Col. Papers, Vol. LX., No.* 64.]

[May.] **1,284.** Abstract of the articles against Lucas Santen with the proofs, and his answer. 7½ *pp.* [*Col. Papers, Vol. LX., No.* 65, *and Col. Entry Bk., Vol. LXIX., pp.* 130-137.]

[May.] **1,285.** Abridgment of the charges against Lucas Santen. *Four large sheets.* [*Col. Papers, Vol. LX., No.* 66.]

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June 1. **1,286.** Minutes of Council of Jamaica. The Governor reported as to the parties out against the rebellious negroes, the time for which they were engaged having expired. Captain Langley's report of the operations was read. Ordered that the same number of two parties be raised and continued for two months on the old terms. Colonel Beeston's account against the island passed and ordered to be paid. Order for payment of John Gale and John Philpott for their expenses on the building of a public prison. On petition of Dirick Cornelison his sloop was returned to him, on condition that he should always be ready in person with his sloop to attend the King's service. [*Col. Entry Bk., Vol. XXXVI., pp.* 169, 170.]

June 1. **1,287.** Minutes of Council of New England. Petition of Quakers against having their goods seized to pay ministers' rates read and considered. Acts for probate of wills, for regulating fisheries, and for regulating purchase of land from Indians, passed. [*Col. Entry Bk., Vol. LXIV., p.* 125.]

June 2. **1,288.** Commissioners of Customs to Lords of the Treasury. We have read an account by Captain St. Loe of the defrauding of the King's revenue by Dutch ships from Statia, which carry produce from the British West Indian Islands and bring them Dutch goods and wine and brandy from French St. Christopher's. We cannot acquit the Governors of the islands from connivance, or at least great negligence herein. Messrs. Henry Carpenter and Belchamber, the Commissioners of the four and a half per cent. duty at Nevis, tell us that they had advice of a Dutch ship which was at Antigua under pretence of getting wood, and asked Sir James Russell to send the frigate to prevent her from trading there, which he refused to do. We suggest that the Governors should be ordered to execute the Acts of Trade and Navigation, and that the captains of frigates also should have particular instructions to the same effect. We hear from Nevis that Captain St. Loe has been particularly diligent in enforcing these Acts. *Signed,* T. Chudleigh, D. North, Jo. Werden, N. Butler, J. Buckworth. *Copy.* 2 *pp.* *Endorsed.* Read 15 June 87. [*Col. Papers, Vol. LX., No.* 67, *and Col. Entry Bk., Vol. XLVII., pp.* 263, 264.]

June 3. **1,289.** Memorandum of Lords of Trade and Plantations. The Lords were desired by the Duke of Albemarle to move the King, (1.) That he may have power to coin pence, half-pence, and farthings of tin or copper. *Marginal note.* To be referred to the Treasury, but his Grace not to stay. (2.) That he may have power to confer knighthood on not more than four or six persons, and to pardon such persons as, not being able to come to England to sue out their pardons, are desiring of the King's mercy. *Marginal note.* Power of conferring knighthood granted; as to pardoning, the King does not think it fit. 1 *p.* *Endorsed.* Read 3 June 1687 to the King. [*Col. Papers, Vol. LX., No.* 68.]

June 3. **1,290.** Journal of Council and Assembly of Nevis. Mr. Aaron Chapman and Mr. John Addy were objected to as improperly

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elected. The remaining members of the Assembly were sworn. [*Col. Entry Bk., Vol., XLVIII., p.* 128.]

June 3. **1,291.** Minutes of Council of Nevis. Thomas Belchamber was sworn of the Council. John Smargin, Jasper Wall, William Pellet, Walter Symonds, John Stanley, John Hill, Thomas Bartlet, and Richard Broadbelt, members of the Assembly, were sworn. [*Col. Entry Bk., Vol. XLVIII., pp.* 152, 153.]

[June 5.] **1,292.** Petition of John Kirwan to the King. The restitution of the ship "Good Intention" was decreed by the Court of Admiralty, and I had loaded her for the Plantations; but Captain St. Loe has caused her to be arrested on pretence of seamen's wages due from her, and has obtained an order of the Commissioners of Customs for her detention. I beg that I may be allowed to appeal from the condemnation in the Leeward Islands, which is found wrong by the Judge of the English Admiralty Court. 1 *p. In the margin.* Order of the King referring the petition to Lords of Trade and Plantations for report. Windsor, June 5, 1687. *Signed,* Sunderland. *Endorsed.* Read 15 June 1687. [*Col. Papers, Vol. LX., No.* 69.]

[June 5.] **1,293.** Petition of Captain George St. Loe, R.N., to the King. For the delivery of the ship Good Intention to him, though John Kirwan has lately contrived to regain possession of her. 1 *p.* [*Col. Papers, Vol. LX., No.* 70.]

June 5.
Windsor.
1,294. Order of the King. Referring the petition of Captain St. Loe to Lords of Trade and Plantations for report *(see preceding abstract). Signed,* Sunderland. [*Col. Entry Bk., Vol. XLVII., p.* 266.]

June 7.
Windsor Castle.
1,295. Henry Guy to William Blathwayt. Forwarding report of the Commissioners of Customs on Captain St. Loe's papers (*see No.* 1,288). ½ *p. Endorsed.* [*Col. Papers, Vol. LX., No.* 71, *and Col. Entry Bk., Vol. XLVII., p.* 263.]

June 9. **1,296.** Commissioners of Ordnance to [Earl of Sunderland?]. Forwarding an account of stores of war sent by the Office of Ordnance to Jamaica since 1676. *Signed,* Chris. Musgrave, H. Shere, Edw. Sherburne, Phil. Musgrave. ½ *p. Endorsed. Annexed,*

1,296. I. The account in question. Total value of the stores, £2,820. *Signed as the above.* 2 *pp. Endorsed.* Recd. 14 June 1687. [*Col. Papers, Vol. LX., Nos.* 72, 72I., *and (enclosure only), Col. Entry Bk., Vol. XXXI., pp.* 298, 299.]

June 9. **1,297.** Minutes of Council of Maryland. The troubles of the County of Cecil, owing to turbulent and factious spirits, were considered, and evidence having been taken, a new Commission of the Peace was issued. George Stevens appointed coroner. Order for impressment of provisions for Christina fort. [*Col. Entry Bk., Vol. LIV., pp.* 99, 100.]

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June 11. **1,298.** Journal of Council and Assembly of Nevis. Ebenezer Kirtland and Edward Burley were sworn of the Assembly. [*Col. Entry Bk., Vol. XLVIII., p.* 129, *and p.* 153.]

June 12. Windsor. **1,299.** The King to Governor Lord Howard of Effingham. Approving the dismissal of Philip Ludwell from the Council of Virginia and the appointment of Isaac Allerton in his place. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXXXIII., p.* 133.]

June 14. **1,300.** Journal of Assembly of Barbados. No quorum. Adjourned to 12 July. [*Col. Entry Bk., Vol. XIV., p.* 170.]

June 15. **1,301.** Journal of Lords of Trade and Plantations. Letter to Colonel Stede approved and signed (*see No.* 1,304).

Sir Edmund Andros's letter of 30 March read (*see No.* 1,197). The acts referred to the Lord Chancellor; the names of candidates for the Council approved. Letter from Connecticut to the Lord President read (*see No.* 1,197iv.). Agreed to advise that Sir Edmund Andros be empowered to accept their submission and take them under his government.

Sir John Hoskyns's petition read and referred to Sir Thomas Pinfold (*see No.* 1,177.)

Report of Commissioners of Customs upon an information of Captain St. Loe read (*see No.* 1,288). A letter to be written to the Governor of the Leeward Islands to prevent frauds and take care that the Acts of Trade are observed. Petitions of John Kirwan and of Captain St. Loe as to the ship Good Intention read (*see Nos.* 1292, 1293), together with the report of Sir Richard Raines (*see No.* 1,280). The Lords agreed on their report (*see No.* 1,303).

Petition of proprietors of East New Jersey read. A copy to be sent to Governor Dongan for his reply (*see No.* 1,279).

Memorandum of documents received and sent. [*Col. Entry Bk., Vol. CIX., pp.* 81-89.]

June 15. Council Chamber. **1,302.** Lords of Trade and Plantations to the King. Recommending that the copy of petition of the proprietors of New Jersey (*see No.* 1,279), be sent to Governor Dongan for his reply. [*Col. Entry Bk., Vol. LXIX., p.* 118.]

June 15. Council Chamber. **1,303.** Lords of Trade and Plantations to the King. On the petition of Captain St. Loe we have read the report of Sir Richard Raines, and as the proceedings of the Court are altogether irregular in altering the possession of the ship as adjudged in Antigua, we recommend that possession be restored to Captain St. Loe but that John Kirwan's appeal in the case be allowed of. [*Col. Entry Bk., Vol. XLVII., p.* 268.]

June 15. Council Chamber. **1,304.** Lords of Trade and Plantations to Lieutenant Governor Stede. The King has ordered Lieutenant Beach, commanding H.M.S. Mary Rose to restore a Dutch ship taken by Captain Temple at St. Vincent. You will appoint some persons to assist at the appraisement of the ship and cargo and to receive the same from Lieutenant Beach; after which you will dispose of

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all perishable goods and account for the same to the owners. The usual payment for salvage will be made to the representatives of Captain Temple and to his crew; and the goods taken on board the ship will be restored, together with the ship, to the owners or any properly qualified person. If no one appears to claim her you will preserve her as best you can till further order, taking care that none of the King's rights of Admiralty be infringed, You will see that the sentence of condemnation against her be reversed, and that such repairs as are necessary be effected for the ship, and you will take all pains to preserve the ship for her poor owners that the King's grace be not ineffectual. *Signed*, Jeffreys, Sunderland, Craven, Middleton, Godolphin. [*Col. Entry Bk., Vol. VII., pp.* 415, 416.]

[June 15.] **1,305**. Notes for the points to be observed in the drafting of the foregoing letter. 1½ *pp. Endorsed.* [*Col. Papers, Vol. LX., No.* 73.]

[June 15.] **1,306**. The titles of the King of England to the sovereignty of St. Lucia. (1.) Settlement in 1605. (2.) Possession by Governor Warner in 1626 and grant to Lord Carlisle in 1627. (3.) Purchase by Lord Willoughby in 1664, and removal of French settlers in 1665. (4.) Repudiation of the alleged surrender of the island to France, 1666. (5.) The Treaty of Breda has no bearing. *French. Copy.* 2½ *pp. For date see the reply of the French Ambassador,* October 1687. [*Col. Papers, Vol. LX., No.* 74.]

June 15. **1,307**. William Blathwayt to Sir Thomas Pinfold. Forwarding copy of Sir John Hoskyn's petition (*see No.* 1,177) for report as to the King's right to the islands therein mentioned. *Draft.* 1 *p.* [*Col. Papers, Vol. LX., No.* 75, *and Col. Entry Bk., Vol. C., pp.* 15, 16.]

June 18. Whitehall. **1,308**. Order of the King in Council. Report of Lords of Trade and Plantations. On reading the letters from Connecticut to the Lord President we recommend that Sir Edmund Andros be directed to take the Colony into his government and swear Robert Treat and John Allyn of the Council of New England. *Dated* 15 June 1687. Ordered accordingly. *Signed*, John Nicholas. [*Col. Entry Bk., Vol. LXI., pp.* 352, 353.]

June 18. Whitehall. **1,309**. Order of the King in Council. Report of Lords of Trade and Plantations. On the petition of Robert Orchard, referred by order in Council of 18 May 1685, we recommend that Sir Edmund Andros be instructed to see that he obtains redress. *Dated* 18 May 1687. Ordered accordingly. [*Col. Entry Bk., Vol. LXI., pp.* 354, 355.]

June 18. Whitehall. **1,310**. Order of the King in Council. That a copy of the petition of the Proprietors of East Jersey be sent to Governor Dongan for his reply. [*Col. Entry Bk., Vol. LXIX., p.* 119.]

[June 18.] **1,311**. Extract from an article of the Treaty of Breda. Enacting that the merchant ships of the contracting nations may enter each other's ports when driven by storm, pirates, or other urgent need, provided they do not break bulk nor attempt to trade.

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It was under this article that the Dutch ships from Eustatia entered the ports of the Leeward Islands. ½ *p. Endorsed.* Copy sent to Sir N. Johnson *(see next abstract).* [*Col. Papers, Vol. LX., No.* 76.]

June 18. Hampton Court. **1,312.** Lords of Trade and Plantations to Governor Sir Nathaniel Johnson. We have been told by Captain St. Loe of abuses committed by Dutch ships in violation of the Acts of Trade and Navigation. The King is sensible that this violation has been rendered easy by the connivance of former Governors, and you are therefore to take all possible care to prevent such abuses in future. You will permit no Dutch vessel whatever to come to a British island or to remain in harbour unless driven in by storm, pirates, or other necessity. *Signed*, Jeffreys C., Sunderland P., Arundell C. P. S., Powis, Dartmouth, Edw. Herbert. [*Col. Entry Bk., Vol. XLVII., pp.* 264, 265.]

June 18. **1,313.** Order of the King in Council. That the ship Good Intention be restored to Captain St. Loe, but that the appeal of John Kirwan be allowed. [*Col. Entry Bk., Vol. LXVII., p.* 269.]

June 18. St. Jago de la Vega. **1,314.** Lieutenant Governor Molesworth to Captain Talbot, R.N. The Judges complained to me last night that you had refused to obey the order of the Court for the return of Chinn's money to him, and told me that in consequence Chinn's counsel had moved for an attachment against you. I told them that the King protected none of his officers against the law, but desired them to give you fair notice of it. The Chief Justice replied that he had spoken to you himself about it, and that you positively refused to deliver it, pretending that you had spoken to the Attorney-General to prosecute him in another way. The Attorney-General denies this. In short, you are very much in the wrong, and have no just reason for keeping Chinn's property. The law has given it against you, and the law must be obeyed by you as much as by any of the King's subjects. I advise you to submit or you will have to undergo the shame of being compelled to do it, and if any mischief befall in the execution of the King's writ you must answer for it. I give you this warning. 1 *p.* [*Col. Papers, Vol. LX., No.* 77.]

June 18. Port Royal. **1,315.** Captain Charles Talbot, R.N., to Lieutenant Governor Molesworth. The six pirates I brought in from Porto Bello were examined on board the Falcon by Lieutenant-Colonel Peter Beckford and the Attorney-General, and on their confession that they were all with Laurens when he took the Spanish barque, they were ordered into custody. Last Grand Court I heard one of them, Thomas Chinn, tried and found not guilty, there being no evidence to shew that he had lived in the island within the last four years. I then told the Attorney-General that he ought to have prosecuted him in the admiralty as a pirate, and that I expected he should do so. I spoke to him next day, and his answer was that he would take your orders; but within three days I found that Chinn was at liberty, and an order, signed

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only by the Clerk of the Court, was brought to me to deliver up some broken plate and other plunder to the said Chinn. I replied that I would prosecute him in the admiralty for a pirate, and have told the Chief Justice as much. I beg you, therefore, to issue your warrant for his arrest, and to order the Attorney-General to do his duty. If he refuse, as he did lately, I suppose that he ought to be suspended and another put in his place who will act for the King's service. *Signed*, Charles Talbot. *Copy.* 1 *p. Inscribed by Lieutenant Governor Molesworth.* His answer to the Chief Justice and to the Marshal's man was otherwise than here represented, though I knew it not till afterwards. [*Col. Papers, Vol. LX., No.* 78.]

June 18. **1,316.** Lieutenant Governor Molesworth to Captain Charles Talbot. I have received your answer to my letter, wherein you inform me of some new matter against Chinn, and that you intend to prosecute him as a pirate. This should have been done before, or I should have been informed of it, which I never was. I am no favourer of such villains, certainly not of Chinn, who openly boasted how many churches he had robbed. The Attorney-General's choice of his method of prosecuting was good, for he knew that if he prosecuted Chinn as a pirate his confession before witnesses would not be taken for proof if he denied the confession in Court, and he had no other evidence. So being well able to prove that he had served under Laurens at the taking of Campeachy he preferred to prosecute him under that head, for it was generally supposed that the hostilities there committed by a French fleet were done under a commission. Though the proof as to the term of Chinn's residence here miscarried, yet the acquittal was due rather to the over-nicety of the jury than to any fault of the Attorney-General's. There never was a person fitter for his place, nor one more active against privateers, wherefore you mistake him and me also very much when you call upon me to suspend him. The Judges of the Court declare that all you said to the Attorney-General when Chinn was acquitted was, "Mr. Attorney, you knew well enough how to deal with him at civil law." He denies that you ever said any more, and I never heard of your intention to raise a new prosecution. I will, however, order the arrest of Chinn and his prosecution by the new Attorney-General, but unless you have other evidence than his confession against him it will be useless. 2 *pp. Endorsed.* Recd. 20 September 87. [*Col. Papers, Vol. LX., No.* 77.]

June 20. **1,317.** Governor Dongan to Governor de Denonville of Canada. I send the enclosed which has reached me from England with orders that it shall be proclaimed. [*This evidently refers to the Treaty of Neutrality.*] I have done so, and I hope that you will do the like. Pray, too, do not seek any correspondence with our Indians on this side of the Great Lake. If they do amiss to any of your government, inform me, and I will see that justice is done. If any of your people disturb us I will likewise have recourse to you. As to the far nations, I suppose that trade with them is free and common to us all until the boundaries be adjusted, though truly the situation of these parts bespeaks a greater right

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of the English than of the French King thereto, since they lie to southward of us just at the back of other parts of our King's dominions, and a very long way from you. I hear from some of our Indians that you desired them to meet you at Cadaraqui. I could hardly believe it till I had a letter from Father Lamberville confirming it. I am also informed of your priests' endeavours to carry our Indians away to Canada, as you have already carried away a great many. Pardon me for saying that this is not the way to maintain a good correspondence between us. I hear, too, that you have been told that I have ordered the Indians to rob the French wherever they meet them. That is false. What I did was to forbid any from Canada to come to Albany without your pass, which was your own desire. I therefore ordered the Indians and the people of Albany to seize all English or French that they found on this side of the Great Lake without your pass or mine and bring them to Albany. I am now sorry that I did so, since it is not agreeable to you and has, as I hear, kept a number of beavers from being sent hither. I shall therefore recall those orders. I am daily expecting priests from England, which I mean to distribute among the Five Nations. I desire your orders to Father Lamberville that as long as he stays among those people he shall attend to his own functions only, and that those Indians whom he has converted and taken to Canada may be content to live alone, and not attempt to debauch others. If I catch any of them doing so I shall handle them severely. Setting aside my master's orders, I should be glad to serve you, and wish that the wilderness were not so broad between us, and that we could see each other more frequently. No one has a greater respect for all people of quality of your nation, especially for such as have served in the army, than I. I send you some oranges, hearing that they are a rarity with you. *Signed*, Tho. Dongan. *Copy.* 3 *pp.* *Endorsed.* *Printed in New York Documents, Vol. III.*, *p.* 465. [*Col. Papers, Vol. LX.*, *No.* 79.]

June 20. Jamaica. **1,318**. Deposition of William Jules, mariner. Concerning the arrival of a ship from the South seas with plunder taken by piracy. Sworn before Governor Molesworth. [*Col. Papers, Vol. LX.*, *No.* 79A.]

June 20. **1,319**. Minute of Council of New England. Judges' salaries considered. Business of the dry dock at Charlestown to be considered.

June 23. Act concerning highways read and rejected. Resolved that the goods of the Quakers distrained on for ministers' rates be restored.

June 24. Business of the dry dock at Charlestown. Order for payment to John Greene of his expenses of his voyage to and from England.

June 29. 1,712 acres of land in Narragansett County granted to Richard Wharton, at ten shillings per annum quit rent. Fifty acres granted to John Swarton in Casco Bay. [*Col. Entry Bk., Vol. LXIV.*, *pp.* 126, 127.]

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June 24. Jamaica. **1,320.** Lieutenant Governor Molesworth to William Blathwayt. I have further intelligence as to the vessel that came from the South Seas. Her commander and another landed here, having been chased and forced to leeward by another ship. The master of the sloop that brought them would not speak, for fear of bringing himself into trouble, until I refused him his pass and promised to take no advantage of his confession. He then made the deposition herein enclosed. As the master belonged to Nevis I sent thither a notorious pirate named Welch who played all his pranks thereabouts, so that he might be tried where witnesses against him could be forced. I have had reason enough to complain of Captain Talbot before this time, but I am now forced to report as follows. On his way to Porto Bello he met a sloop belonging to Laurens, with some of his people on board, and among them one Chinn, the most notorious rogue of them all, who having once belonged to Jamaica had made himself more liable to law than any of the rest. This Chinn, when he fell into Captain Talbot's hands, had some money and broken plate with him, which Talbot took into his possession, but on Chinn's acquittal here his counsel moved for the restitution of his property. The Court ordered it accordingly, but Captain Talbot, when it was shewn to him, said he had nothing to do with it. Chinn's counsel then applied to the Judges for a *capias*, who before they would grant it came to me and told me of the application, and that they were bound in duty to assent to it. I replied that the King protected no man against the law, but that I would have it enforced with all respect to Captain Talbot's place, and therefore ordered that the writ should not be delivered to the Marshal until Talbot had been apprised of it, and of the necessity of complying with it, by a letter from myself. But it happened that on the very day when I wrote to him he wrote to me accusing Chinn of piracy in other matters, and desired that he might be tried for it in the Court of Admiralty. I had time to delay the delivery of my letter, and wrote to the Judge Admiral to appoint a day for the trial, and to the Attorney-General to prosecute. Talbot, however, had no evidence except Chinn's own confession before witnesses, which Chinn denied in Court and was consequently acquitted. Nevertheless Captain Talbot still refuses to restore the money or to comply with the order. The Counsel for the prisoner has asked me for leave to serve the *capias*, but I said that he must first deliver my letter to Captain Talbot, and forbear till I had received his answer; but I have received no answer yet, and I am told that he intends to remain on board ship until the Duke of Albemarle's arrival. *Signed*, Hder. Molesworth. Recd. 20 September 1687. [*Col. Entry Bk., Vol. XXXII., pp.* 37-41.]

June 27. Windsor. **1,321.** The King to Governor Sir Edmund Andros. Ordering him to annex Connecticut to New England and swear Robert Treat and John Allyn of the Council. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXI., pp.* 353, 354.]

June 29. Virginia. **1,322.** Governor Lord Howard of Effingham to the Earl of Sunderland. I send duplicates of the complaints against Captain Crofts. If the King will curb his irregularities it will certainly

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be for his service, for the benefit of the merchants and for the strengthening of the royal authority here. I have acquainted the King with my intended journey to New York during the heat and sickness of this place in the dog-days, acting under an order granted to me in Council. If it should be the least displeasing to the King pray inform me, and it shall never be thought of again; but after experience of the last two summers I have found this season of the year prejudicial to my health, and I hope by this short absence to recover it. *Signed*, Effingham. *Holograph.* 2 *pp.* *Endorsed.* Recd. 14 August 87. [*Col. Papers, Vol. LX., No.* 80, *and Col. Entry Bk., Vol. LXXXIII., pp.* 193, 194.]

June 29. Virginia. **1,323.** Governor Lord Howard of Effingham to the King. "It is with great concern, little less than trembling," that I report my intended journey to New York, taking advantage of the permission which you granted me. My physicians have ordered me change of air, and sickness is almost inevitable here in the dog-days. I shall go to the head of the bay by water and thence through Pennsylvania, so I shall not be above four days' journey from my Government at most, if any accident should happen. *Signed*, Effingham. *Holograph.* 2 *pp.* [*Col. Papers, Vol. LX., No.* 81, *and Col. Entry Bk., Vol. LXXXIII., pp.* 145, 146.]

[June?] **1,324.** Answer of the French Commissioners to the memorial of the Hudson's Bay Company (*see No.* 1,258). (1.) The county was called Labrador by the Spaniards, who discovered it long before the English. Cabot only passed it by chance on the search for the North West passage. French have been there at different times, but it was never thought that such voyages contributed a title. (2.) Hudson may have sailed into the bay as many others did, but it is agreed that he took no possession, nor is there a trace of a settlement made by the English. Maps are of little importance. Those who make them try to push them by inserting novelties, without asking for any reasons. Several London maps say that the county all belonged to France before the English knew of them. (3 and 4.) M. Champlain's protocol shows that he took possession of all this county and made settlements, which the English never did. The French had built a fort on Bourbon river before the English built theirs at Nelson in 1682. The cross alluded to must have been planted by the French, and shews their priority of possession. Names prove nothing. (5.) The English certainly entered Rupert river, but knew it so little that they were guided by two French deserters from the French company. This treachery, of which the French company still complain, does not constitute a title. (6.) We know nothing of this taking possession of 1669. The French right was maintained by the Treaty of Breda in 1667, which (7) is good against the King's Charter of 1670. (8.) Count Frontenac was ordered to abstain from molesting the English, as a Treaty of Commerce was negotiating between the two Crowns. (9 and 10.) The French built a fort close to Nelson on the Bourbon river, and then the English came. The French were obliged to expel them to maintain their right. The French company still demands satisfaction for the plunder of its forts in 1683 by the treachery of the deserter who guided the English to Rupert river. (11.) The treaty of 1686 is more favourable to the French than the English. But our business is to examine the titles of the rival Companies.

Title of the French Compagnie de la Baye du Nord du Canada. (1.) A commission of King Francis I. dated 1540 to Sieur Robertval to take possession of all the lands discovered by Verpazzano in 1525, and Jacques Cartier in 1534 and 1535. The bay since called Hudson's Bay is included herein. (2.) Letters patent of Henry IV. of 1598 appointing Marquis de la Roche Cottenmal lieutenant of the territory, including the bay. (3.) The deeds of a company of merchants under the name of the Sieur de Caen who actually traded thither till 1627. (4.) Letters patent of Louis XIII. of 29 April 1627 to a new Company, granting them the territory from the Arctic Circle to Florida, and from Newfoundland to the lake called the "fresh sea." (5.) A deed of 20 April 1656 at Quebec, certifying that Jean Bourbon coasted along the territory and claimed possession. (6.) Certificates of M. de la Vallière and Father Dablons that in 1661 the Indians about Hudson's Bay put themselves under French sovereignty. (7.) A commission of the Governor of New France to Sieur Couture of 10 May 1663, authorizing him to go to Hudson's Bay, and his certificate that he erected a cross and the arms of the King of France. (8.) A deposition in confirmation of those acts of possession. (9.) The King's letters patent of 1663, reuniting those territories to the Crown on the surrender of the Company. (10.) Letters patent of 1664, establishing a new Company. (11.) A deposition of Sieur de St. Lusson of 1671 as to the submission of the Indians of Hudson's Bay to French sovereignty. *French. The answers to the English memorial arranged in parallel columns with it.* [*Col. Entry Bk., Vol. XXII., pp.* 18-28.]

[June?] **1,325.** Memorial of damages suffered by the Hudson's Bay Company, with the answer of the French Company thereto. *For the English memorial (see No.* 1,258*). Reply of the French.* The French Company of Canada can prove that the English had no settlement nor factory in Port Nelson till 1682. In that year the French fitted out two ships at Quebec, which went to the Bourbon river in Hudson's Bay, where they had established a trade with the natives, who helped them to build a fort and factory. Three days after arrived a ship from Boston which was kindly received, and four days later appeared a large ship from London. The Boston men were frightened because they had no commission. The captain of the London ship announced his intention of forming a settlement, to which the French answered by shewing their right to the territory. The controversy was still going on when the English ship parted her cable and was wrecked. The crew saved themselves, and were helped by the French, who gave them a boat and victuals to go whither they would. A party of French was left in the fort to hold the post and keep up the trade, and the rest returned to Quebec with the

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Boston ship, which was released, though by law it might have been confiscated. So much for the English claim for damages. The complaint of the disturbance of the English by the French in 1684 has already been dealt with. The two French ships never touched the English fort or buildings, although they had every right to do so, and returned to the river Gargousse, whence, after the winter was over, they returned to Quebec. As to the seizure of a British ship, it cannot have been by Frenchmen, who, on the contrary, were demanding the restoration of munitions of war captured by a British ship. As to the complaints of French aggression in 1686, the Company confesses that, being unable to obtain satisfaction from Lord Preston, the English Ambassador to France, three English forts were taken, together with the merchandise therein, by way of reprisal for English aggression in 1683. We are willing that the damages suffered on both sides shall be adjusted by the Commissioners. The French King has given orders to check irregularities; and it will be well if the English King will do likewise. *French. The two memorials in parallel columns.* [*Col. Entry Bk., Vol. XXV.*, 29-34.]

July 1. **1,326.** Journal of Lords of Trade and Plantations. A memorandum as to the Duke of Albemarle's salary and perquisites was brought up (*see next abstract*). Agreed to advise an additional instruction to the Duke and a letter to Colonel Molesworth (*see No.* 1,331). [*Col. Entry Bk., Vol. CIX., pp.* 89, 90.]

[July 1.] **1,327.** Memorandum on behalf of the Duke of Albemarle. (1.) That the grant of the moiety of perquisites may be clearly expressed in his instructions. (2.) That Colonel Molesworth be directed to account with him for the same before leaving the island. (3.) That he be granted leave to coin small money, and (4) to confer knighthood. (5.) That absence in havens or harbours of Jamaica be not accounted absence from the Government. 1 *p. Endorsed.* Read 1 July 1687. [*Col. Papers, Vol. LX., No.* 82, *and Col. Entry Bk., Vol. XXXI., p.* 300.]

July 1. **1,328.** Commissioners of Customs to Lords of Treasury. Forwarding the letter from Mr. George Muschamp, collector of the Plantation Duties at Carolina (*see No.* 1,204). *Signed,* J. Buckworth, D. North, Jo. Werden, N. Butler, T. Chudleigh. *Copy.* ½ *p.* [*Col. Papers, Vol. LX., No.* 83, *and Col. Entry Bk., Vol. XXII., p.* 118.]

July 2.
Hampton
Court. **1,329.** Order of the King in Council. Dismissing the appeal of Thomas Cook against the condemnation of the ship O'Brien. [*Col. Entry Bk., Vol. XLVII., p.* 233.]

July 3. **1,330.** Additional instructions to the Duke of Albemarle. He is to receive half salary and half perquisites from the date of Sir Philip Howard's death, and Lieutenant Governor Molesworth shall account to him for the same. Visits to harbours and havens of Jamaica shall not be treated as absence from the Government. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XXXI., pp.* 302, 303.]

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July 3. **1,331.** The King to Lieutenant Governor Molesworth. You will account with the Duke of Albemarle before you leave Jamaica for the half of the perquisites due to him, or give good security not exceeding £5,000 to do so. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XXXI., p.* 304.]

July 5. **1,332.** List of the documents delivered to the Duke of Albemarle on his going to Jamaica, being copy of his receipt for the same. *Signed,* Albemarle. 1¼ *pp.* [*Col. Papers, Vol. LX., No.* 83A, *and Col. Entry Bk., Vol. XXXI., p.* 305.]

July 5. **1,333.** William Blathwayt to Henry Guy. Forwarding Sir Robert Robinson's letter of 23 April for the Lords Commissioners of the Treasury. [*Col. Entry Bk., Vol. XVIII., p.* 115.]

July 5. **1,334.** Sir Thomas Pinfold to Lords of Trade and Plantations. On the petition of Sir John Hoskyns (*see No.* 1,177), the islands mentioned are uninhabited, so may be granted, with a condition that the grant shall be void if it shall appear that they belong to any other prince. *Signed,* Tho. Pinfold. 1 *p.* [*Col. Papers, Vol. LX., No.* 84, *and Col. Entry Bk., Vol. C., p.* 16.]

[July.] **1,335.** Draft of a warrant for a grant of the islands referred to in preceding abstract to Sir John Hoskyns. 2 *pp.* [*Col. Papers, Vol. LX., No.* 85.]

July 6. Jamaica. **1,336.** Proclamation, permitting vessels to go to the wreck on the coast of Hispaniola, and return with their treasure, on answering the King's dues. 2 *pp.* *Added,* copy of a resolution of the Council, 28 December 1687, that they issued the foregoing proclamation in the King's interest only, not knowing of any grant of wreck made by the King. ½ *p.* *Endorsed.* [*Col. Papers, Vol. LX., No.* 86.]

July 7. Custom House. **1,337.** Commissioners of Customs to Lords of the Treasury. We have considered the Acts of Virginia for appointing ports and for restraining the planting of tobacco. We have reported before on this latter measure; and for the reasons then mentioned, and more especially considering the greatness of the new impost on tobacco, we do not recommend that it be confirmed, lest some unforeseen inconvenience to trade should follow, with prejudice to the King's revenue. *Signed,* N. Butler, J. Buckworth, T. Chudleigh, D. North, Jo. Werden. 1 *p.* *Endorsed.* Recd. 20 July 1687. Read 12 August 1687. [*Col. Papers, Vol. LX., No.* 87, *and Col. Entry Bk., Vol. LXXXIII., pp.* 142, 143.]

July 10. **1,338.** Additional instructions to the Duke of Albemarle. If any dispute shall arise between you and Colonel Molesworth on the question of salary and perquisites we will hear the same in Council. Colonel Molesworth will give £5,000 security to abide by our decisions, and when he has given it he shall not be hindered from repairing forthwith to us, nor shall he be in any way molested in his estate or effects. *Countersigned,* Middleton. [*Col. Entry Bk., Vol. XXXI., pp.* 306, 307.]

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July 10. **1,339.** The King to Lieutenant Governor Molesworth. To the same effect as the preceding. *Countersigned*, Middleton. [*Col. Entry Bk., Vol. XXXI.*,

July 11. **1,340.** Governor Sir Robert Robinson to William Blathwayt. I send what particulars I can, and 'tis well I can send any, considering what clerks and secretaries we have here. I have settled the Custom House, and the Assembly have imposed a small tax on wine and rum for two years, which will hardly amount to £100; they having stocked themselves with six or seven thousand gallons of rum beforehand. This £100 will not be sufficient to pay officers. I cannot prevail with them for a tax on tobacco yet, but I hope to do better at the next sitting on 3rd September. The truth is that they are utterly undone if they are tied down to a single ship, and not free like other Colonies. They have spoiled two crops already, and smuggled them out of the island, because there was only the one ship to carry it; and now there is like to be enough to load two such ships, to say nothing of 15,000 lbs. of old tobacco. Pray move the Lords to give me some latitude for this purpose. As to Courts, it is impossible to settle them, for there is no lawyer here, "and them blind ones that there is" will never carry on anything to the King's interest. Therefore an able lawyer must be sent over to secure the King's negroes and lands that are withheld from him, for the people are all for a trial at law, in both cases. I shall delay the trial till an able lawyer can be sent. Pray tell me how I should deal with Mr. Bond, as to the bond and letter sent by Colonel Cony by the ship that bears this. I shall make about £15 out of the whale-fishing this year, and about £25 out of the twelve shares of land. I can get nothing of Colonel Cony for rent for the crop or for negroes of the King's sold by him. I am allowed twenty-four slaves, but I have only two that are able to work, and three or four old women, so that I am forced to hire negroes to work in the fields, though I hope that the hire will stand to the King's account. A couple of small vessels came in with Captain Phips lately from the wreck. Phips took from them a ton and a half of plate, and left them as much. They took as much more and brought it here. I took the King's tenths, and enclose an account thereof. They gave me five or six hundred pounds, and have carried fifteen or sixteen thousand pounds up the country for themselves. There is not above half a score of them, all of them poor fellows until now. Pray obtain for me orders what I shall do else. Five or six more vessels have gone hence to the wreck with my permission. They have given bond to pay the King's dues on their return. If they are successful, I think of taking security that the King shall have as much more than his tenths as he pleases, and something for his poor Governor. I have settled Mr. Green as Judge of the Admiralty. He is a pretended lawyer, and the best that I could find, but so wedded to this people that he could not tell me whether the King was to have his tenths here or not. I told him I thought it was good to be sure of it. I cannot find the six men to be appointed to the Council; indeed, I know not enough qualified persons to make up

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the number to twelve, so must content myself with fewer. *Signed*, Robt. Robinson. 2½ *pp.* *Endorsed.* 11 July 87. Recd. 10 October 1687. [*Col. Papers, Vol. LX., No.* 88, *and Col. Entry Bk., Vol. XVIII., pp.* 116-119.]

[July 11.] 1,341. A collection of enclosures to the foregoing letter.

1,341. I. List of the Assembly of Bermuda.

St. George's Parish	Lieut. Booz Sharp. Anthony Tennour. Jonathan Stokes. Daniel Tucker.
Smith's Tribe	Captain William Peniston. Captain Anthony White. Thomas Smith. Richard Gilbert.
Pembroke Tribe	Joseph Howe. Captain Edward Johnson. John Hutchins. Richard Pitt.
Warwick Tribe.	Captain George Bascom Cornelius White. Henry Harvey. William Tucker.
Sands Tribe	John Wells. Edward Marriott. Jonathan Birch, jun. John Goodall.
Hambleton Tribe	Arthur Jones. Richard Stafford. Samuel Trott. Stephen Righton.
Devon Tribe.	Joseph Dorrell. Jonathan Turner. Joseph Milbourne. John Gilbert.
Pagett's Tribe	Francis Jones. Captain Copeland Lee. Nathaniel Attwood. Patrick Downing.
Southern Tribe	Captain Thomas Richards. Henry Tucker. Captain Henry Durham. Captain Francis Dickinson.

Endorsed Recd. 10 October 87.

1,341. II. Governor Sir Robert Robinson's speech to the Assembly of Bermuda. There are many things necessary to be done for the methodising of the Government. I submit to you the articles which the King has ordered me to propose to you. *One broad page.* *Endorsed.* Recd. 10 October, 87.

1,341. III. Answer of the Assembly to the above speech. Loyalty and gratitude. *One broad page.*

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1,341. IV. Articles proposed to the Assembly by Sir Robert Robinson. (1.) A law against Sabbath-breaking and drunkenness. (2.) The rebuilding of Hearne Bay church. (3.) A salary for the minister of St. George's. (4.) A duty of a penny a pound on exported tobacco. (5.) Repair of forts. (6.) Laws for the holding of Assizes and (6) to facilitate recovery of debts. (7.) To recover the King's dues. (8.) Existing laws to remain in force for the present. (9.) Future laws to be unlimited. (10.) The building of two additional forts to westward. (11.) Imposition of licences to sell liquors. (12.) Conservation of fisheries. (13.) The raising of money. (14.) The devising of means to raise the price of tobacco and lower the price of goods. (15.) A law to compel all houses in St. George's to be stoned or shingled. (16.) Consideration how the King may benefit the islands. (17.) A tax on strong liquors. (18.) The preservation of young cedar-trees. (19.) The appointment of a chief pilot. (20.) A law to fix the qualifications of jurymen. *One broad page. Endorsed.* Recd. 10 October, 87.

1,341. V. Answer of the Assembly to the foregoing articles. We object to the tax of a penny a pound on tobacco as prejudicial to the island and to the King's Customs, the value of tobacco ready made not exceeding one penny a pound. 14 June 1687. *One page. Endorsed as the foregoing.*

1,341. VI. The Governor's answer to the foregoing remonstrance. I do not agree as to the value you ascribe to tobacco, both from information of others and my own observations; nor can I conceive how the duty should impede the industry. I believe that you might enlarge your crop and grow sugar canes as well, if you would improve your land. Nor do I believe that the tax will injure the King's Customs, though the refusal of it will offend him. I must beg of you, therefore, to pass it. Had the King only extended his late favour to only three or four persons I should have wondered less at your objection to the tax. But when I remember how he has altered the Government to meet your wishes, and made me an allowance so that I should not become a charge to the Colony, I am startled at your refusal. I shall be glad to consider any proposals for settling or raising the price of tobacco; but meanwhile the King has been at the expense of £800 or £1,000 for the Company's lands and negroes; which negroes are not to be found, while the lands are worth little. *2 large pages. Endorsed as the foregoing.*

[July.] 1,341. VII. Sir Robert Robinson's answers to the heads of enquiry given by the Lords of Trade and Plantations. (1.) The militia consists of 780 men, of whom 197 want arms. They are divided into six companies and exercised according to custom. (2.) The island with St. George's is twenty miles long; the width varies from half a mile

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to two miles. About 10,200 acres are patented to freeholders. (3.) There is but one castle, King's Castle, at the mouth of King's Castle harbour, armed, when I came, with twenty-one great guns. Small arms and ammunition were scanty. Southampton fort is opposite King's Castle, mounting nine guns. Pagett's fort and Smith's fort are opposite each other at the mouth of the town-harbour; both are of eight guns. There are twelve guns mounted at the town of St. George's. (4.) St. George's is the only town. It consists of about sixty houses built of timber, of about three rooms to a floor. Few are of two stories. Some are roofed with stone, some with wood, and some are thatched with palmetto leaves. (5.) The islands are divided into four parishes besides St. George's; the four are sub-divided into eight tribes. (6.) There are no rivers. Two harbours. Castle harbour is eighteen feet channel at the entrance, and seven or eight fathoms within. Town harbour is fourteen feet at the entrance and five fathoms within. Eley's harbour, at the west end, which I intend to fortify at once, is eight fathoms channel at the entrance, seven fathoms of water within. There are several good roadsteads besides. (7.) Tobacco is the only product. About 20,000 lbs. are consumed on the islands. (8.) The imports are dry goods, liquors, provisions. No account of the value was kept by the late Company. (9.) Saltpetre is not to be found. (10.) There are few merchants, the people being mostly planters. (11.) There have been no immigrants for many years. The late Company kept no account of slaves imported. (12.) Baptisms in the last seven years, 843 whites; 525 slaves. Total population, whites and blacks, 8,000 to 9,000. 215 marriages in the seven years. 354 deaths of whites, 279 of slaves. Slaves are about one third of the population. (13.) The wealth of the island does not exceed £60,000, besides the land. (14.) Shipping consists of 42 sail, three quarters of these sloops, the rest barques of from twenty to ninety tons. Few ships of other Colonies trade here. (15.) Limitation to one ship is the first great destruction to trade, for it keeps other ships from calling. Much tobacco has been wasted and much revenue lost for want of freight. (16.) The first great advantage to trade would be to make the port free and open like the ports of other Colonies. (17.) The Presbyterian is the commonest religious persuasion. (18.) The former maintenance of a minister was fifty acres of glebe land and forty pounds a year, but now it is glebe only and voluntary contributions. There are no poor decayed persons, no beggars, and no idle vagabonds in the land. *The queries and answers are set down in opposite pages. The whole,* 16 *pp. Endorsed.* Recd. 10 October 1687. [*Col. Papers, Vol. LX., Nos.* 881.-VII., *(and enclosure No.* VII. *only) Col. Entry Bk., Vol. XVIII., pp.* 119-127.]

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July 12. **1,342.** Petition of the proprietors of East New Jersey to the King. (1.) We did not receive our province as a grant but bought it, yet we are compelled to repurchase it of the Indians at a considerable and increasing rate. (2.) The most considerable of us would not be concerned in it till we had received your Majesty's assurance of the soil, free trade, and free navigation. (3.) Relying on this grant as inviolable we ventured great stocks in it, have sent many hundreds of Scotchmen there, and mean to send more unless we are discouraged. But so far we have received no return. (4.) We conceive that the foregoing facts make our case very different from that of other American Colonies, all of which, though under writ of *Quo Warranto*, remain undisturbed in their properties. But we are disturbed by the Governor of New York, who forced a ship from the port of Amboy to enter at New York. (5.) As to the objection that the customs are not paid in New Jersey as in New York, we would observe that the duty is imposed by the Assembly of New York, wherein New Jersey is not represented. Even if it could be demanded in New Jersey without the assent of the Assembly we do not think such action on the part of the Governor of New York justifiable, for our right is no franchise revertible to the Crown on a *Quo Warranto*, and if it were, we ought not to lose it except on legal eviction or voluntary surrender. (6.) Though it has always been the custom to nourish young Colonies by free trade, we are willing to impose the duty if the King wishes it, but all the other ports should pay the like custom, or trade will desert the unfree parts for the free. (7.) Again, we are ready to surrender our proprietary rights, as the King wishes to take the Colonies more directly under his administration, but on this we offer the following proposals. (i.) That East Jersey may not be annexed to New York, but be continued as a distinct government, or be joined with West Jersey, the King naming one of the proprietors Governor, and allowing the rest, or their proxies, to be always of the Council. (ii.) That Courts of Justice may be established in Perth with appeal to the King in England only; for if the people be forced to go to New York for redress, it will be cheaper for them to bear oppression. (iii.) That the proprietors be allowed to enjoy free trade, a collector being appointed to collect the customs and enforce the Navigation Acts. (iv.) That the proprietors may have the sole right of treating with the Indians for purchase of lands from them, and may appoint the necessary officers. Hereby we hope that our venture may be preserved, and the King's wishes fulfilled better than by the annexation of East Jersey to New York. We are ready to explain any obscure points if called upon. 2½ *pp. Subscribed.* An order from the King referring the petition to Lords of Trade and Plantations, to hear the proprietors therein and report. *Signed*, Middleton. Windsor, 12 July 1687. *Endorsed.* Read 12 August 87. Referred to the Treasury. Ordered at Windsor the 14th. *Copy of reference. Col. Entry Bk., Vol. LXIX., p.* 119. [*Col. Papers, Vol. LX., No.* 89.]

July 12. **1,343.** Minutes of Council of Barbados. Order for Ralph Lane to be summoned on account of his petition and appeal to the King,

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which are accounted libellous and scandalous. Order for Francis Dormer, sent prisoner by the African Company's agent for treasonable language, to be sent over to the Company in England, together with the evidence against him. The letter of the Lords of Trade concerning the petition of Richard Scot read. Acts for a duty on shipping and for appointing a Committee to revise the laws read and passed. Address of the Assembly to the Lieutenant Governor for payment of six months' salary to their clerk, Richard Cartwright, which was ordered. The Governor commended to them the revision of the laws and the presentment of the Grand Jury. Order for payment of six months' salary to the Marshal of Assembly. Address of the Assembly on the presentment of the jury, stating that they hoped the building of a State-house would be taken in hand next Assembly, and orders for raising payments. Order forbidding the Marshal's officers to exact illegal fees.

July 13. Ralph Lane appeared, and as he still insisted on the truth of his petition, it was ordered that copies of the documents which he needed should be issued to him. His letter and petition were then considered, and he was bound over to appear at Grand Sessions to answer for the same.

July 14. Sundry orders for rebate of duties. [*Col. Entry Bk., Vol. XII., pp.* 43-53.]

July 12 **1,344.** Journal of Assembly of Barbados. John Reid chosen speaker. Act for continuing the Committee for the revision of the laws passed. Salary for clerk and marshal passed. A present of £1,000 to the Governor voted, and a bill for the purpose passed. [*Col. Entry Bk., Vol. XIV., pp.* 170, 171.]

July 13. **1,345.** Minutes of Council of New England. Petitions of Jonathan Selleck and Mary Sherman as to land grants considered and disposed of. [*Col. Entry Bk., Vol. LXIV., p.* 128.]

July 13. **1,346.** Order of the Lords Proprietors of Carolina for the grant of 626 acres of land to James Boyd. *Signed*, Craven, Albemarle, Bath (for Lord Carteret), P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 114.]

July 14. **1,347.** Order of the Lords Proprietors of Carolina. That the grant of land made to MM. Genillac and Bruneau shall be a free gift. *Signed*, Craven, Bath (for Lord Carteret), P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 115.]

July 16.
New York. **1,348.** James Graham to John Spragge. Mr. Swinton is dead of an apoplexy, leaving his affairs in great confusion. I have received a letter from the Governor, who is at Albany, saying that the French have assaulted the Senecas and been worsted. Other reports say that the French lost three hundred killed. This is unconfirmed, but however the matter stands, the consequences must be injurious to us, for we have little trade and are likely to be engaged in a bloody war of which the event is uncertain. We are much surprised at these proceedings of the French, not knowing what moved them to invade the King's dominions without notice and so soon after the publication of the treaty between

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the two Crowns. The Governor will give you full information by next ship, he having sent a messenger to the French, who is not yet returned. Lord Howard of Effingham and Sir Robert Parker arrived here five days ago from Virginia. He laments the Governor's absence, but is otherwise well satisfied with his entertainment. *Signed,* Ja. Graham. *Holograph.* 1 *p.* *Endorsed.* *Printed in New York Documents III.*, 426. [*Col. Papers, Vol. LX., No.* 90.]

July. New York. **1,349.** James Lorkan to John Spragge. A sloop arrived this morning from Albany with a letter from the Governor. He writes that the French were coming to fight with the Indians, and were met at their landing by the Indians, who killed three hundred of them. The Governor is still at Albany and it is not known when he will return. Mr. Swinton is dead and buried, and his office sealed up till the Governor's return. *Signed,* James Lorkan. *Holograph.* 1 *p.* *Undated but endorsed.* July. [*Col. Papers, Vol. LX., No.* 91.]

July 16. Whitehall. **1,350.** Order of the King in Council. On the appeals of John Kirwan and Captain St. Loe, ordered that the sentence of the Court of Common Pleas in Antigua in favour of the ship Good Intention be reversed, and the sentence in favour of Captain St. Loe confirmed. [*Col. Entry Bk., Vol. XLVII., p.* 276.]

July 18. **1,351.** The King to Lieutenant Governor Stede. Ordering Rowland Bulkeley, Colonel Thomas Lewis, and John Farmer to be sworn of the Council. [*Col. Entry Bk., Vol. VII., p.* 435.]

July 18. **1,352.** Lords of Trade and Plantations to the King. On the petition of the Royal African Company, we recommend that Sir Nathaniel Johnson be ordered to check the importation of negroes or any other goods from the Dutch Islands to the Negro Islands, and to punish all interlopers severely. [*Col. Entry Bk., Vol. XLVII., p.* 270.]

July 19. **1,353.** Journal of Lords of Trade and Plantations. Captain St. Loe's information against Sir James Russell read (*see No.* 1,356). Agreed to represent the matter to the King.

Colonel Stede's letter of 27 May read (*see No.* 1,272). An extract to be laid before the King.

Draft letters to Colonel Dongan and Lord Howard of Effingham read and approved.

List of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 91-95.]

July 19. **1,354.** Lords of Trade and Plantations to Governor Dongan. The King has considered the petition of the French Protestants (*see No.* 1,142iv.), and orders you to give them all fitting encouragement. You will send us the names of such French Protestants as desire to settle in your province, that letters of denizeration may be issued to them, which will entitle them to trade to the Colonies as they wish. *Signed,* Jeffreys, Sunderland, Arundell, Craven. *Printed in New York Documents III.*, 426. [*Col. Entry Bk., Vol. LXVIII., pp.* 160, 161.

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July 19. Whitehall. **1,355.** Lords of Trade and Plantations to Governor Lord Howard of Effingham. Forwarding copy of the Commissioners of Customs' report as to raising the value of foreign coin, for his information and guidance (*see No.* 1,227). *Signed*, Jeffreys, Sunderland, Arundell, Craven. [*Col. Entry Bk., Vol. LXXXIII., p.* 136.]

[July 19.] **1,356.** Information of Captain St. Loe, R.N., as to the state of Nevis. (1.) Sir James Russell, the Deputy Governor, is a great favourer of privateers. At the beginning of July 1686 there arrived at Nevis from England one Captain John Bear in a small frigate called the James, with the King's colours flying. I sent on board to ask by what right he flew them, and found that he had a commission from Sir William Stapleton, but for another ship. I complained to Sir James Russell, who summoned Bear before himself and Council. I laid the case before them, also the suspicious circumstance that Bear had gone to England in a sloop and returned in a frigate, but Sir James and the Council, accepting an absurd excuse of Bear's, not only discharged him but renewed his commission. Armed with this Bear has committed some piratical acts on the Spaniards, and during my absence brought one of his prizes, the Soldada, to Nevis, and had her condemned by Sir James Russell and his Council. Sir James Russell then gave Bear a new commission for the captured ship, sold him guns and stores, and sent him off to St. Thomas', hearing that I was expected from New England. On my return I asked Sir James for leave to go in pursuit of Bear, but obtained none till last January, when Bear was supposed to have left St. Thomas'; and then his only orders were that if I met Bear I should take away his commission. This I did, and Sir James has several times lamented it in my hearing. Again, when in obedience to Sir James's orders I had brought Bartholomew Sharpe to Nevis for trial, Sir James would not sit in judgment on the case himself, but appointed certain persons as judges, who were not sworn. At the first trial they would not admit the evidence of a Spaniard nor of a Christian Indian, nor even of myself, but "God-damned" all Indians and Spaniards for a crew of dogs, who should not take away an Englishman's life. So the grand jury threw out the bill. Afterwards I obtained from Sir James Russell a pardon for three of Sharpe's men to turn King's evidence, but he took it away from me again and kept it till the three men had left the island. At last he gave a new pardon to three men who had been indicted with Sharpe, but the judges would admit no evidence but that which they had given as prisoners, and this evidence was taken from them in prison, the day before the trial, by one of the judges. I pressed Sir James Russell to swear the judges, but he would not, and he refused to give me authority to impress Sharpe's men, who after their acquittal were idling and pilfering about the island. When I made up my complement by taking men out of the merchant ships, he made me return them.

Sir James has also on several occasions refused me leave to go to the other islands to seize foreign vessels trading therein, or

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to send thither the vessels which I kept at my own expense for the purpose. In June 1686 one of my men seized a sloop coming into Nevis with wine and brandy from French St. Christopher's. Sir James Russell at once took my men out of her and sent them to prison, where they lay till my return. He also took bail of the owners of the wine and brandy to see them forthcoming when brought to a trial. But at the trial some of the men swore that they had carried all the liquor back to St. Christopher's, so she was cleared, though the liquor was afterwards found ashore at Nevis. The liquor was indeed seized, but Sir James would not allow the King's searcher, who had discovered it, to be the informer, but put in one of the owners. My men who had seized the sloop being in prison, the ship of my own from which they had seized her was left unmanned and was much damaged, and on my departure for New England Sir James caused her to be valued and sold. Sir James frequently allowed vessels to trade with French St. Christopher's; he refused to let the Dartmouth go in search of an interloper at Bermuda or of another illicit trader at Antigua; he would never give me ammunition, nor suffer me to buy it nor to go where it could be supplied. 5½ *closely written pages. Endorsed.* Read at the Committee 19 July 1687. [*Col. Papers, Vol. LX., No.* 92.]

[July 19.] **1,357.** Lists of Acts received from the Secretary of New England 19 July 1687.

Act for continuing and establishing of revenue rates and duties (*see No.* 1,195).

Act empowering Justices of the Peace to decide differences not involving more than forty shillings.

Act to establish Courts of Judicature.

Act against pirates and piracy.

Order for raising the price of foreign coin. [*Col. Entry Bk., Vol. LXI., p.* 351.]

July 20. Windsor. **1,358.** Memorial of the French Ambassador, Barillon, and of the Envoy Extraordinary for the execution of the Treaty of Neutrality. We are ordered to represent that Captain Brach [Beach] of H.M.S. Mary Rose has been to Dominica and given the Caribs a kind of certificate that they have become voluntary subjects of the King of England. This is quite contrary to the good understanding between the two Crowns, and to the treaty of 1660 in regard to the Caribs, whereby French and English agree to leave St. Vincent and Dominica to the Caribs, on condition that they maintain peace. We ask for disavowal of this Act, and for the forbidding of such proceedings in future. *French.* 1½ *pp. Endorsed.* Recd. 27 November 87. *Annexed,*

1,358. I. An account of the proceedings that led to the treaty with the Caribs of 6 August 1660, referred to in the foregoing, with substance of the treaty. Extracted from the Registry of Martinique. *Copy. French.* 13 *pp.* [*Col. Papers, Vol. LX., Nos.* 93, 93I.]

July 20. **1,359.** Minutes of Council of New England. Orders as to the petitions of Mary Sherman, Jonathan Selleck, Samuel Ballatt, and Henry Mountfort. [*Col. Entry Bk., Vol. LXIV., pp.* 128, 129.]

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July 22. **1,360.** Minutes of Council of Maryland. Rumour of a rising of Nanticoke Indians considered. Letters from Major Peter Sayer and Colonel Henry Coursey read. Orders were thereupon issued. Orders to the military officers to muster their regiments and see that the arms in their magazines are in good order. Further letters as to the rising read, and as to orders already given. The Council resolved to send Colonel William Stevens to renew the treaty with the Indians. Instructions to Colonel Stevens to start with a good party of horse to impress the Indians with his strength, and invite them down to St. Maries to make peace, promising redress of grievances, or if they will not come down, to renew the old articles of peace. If they will neither come to St. Maries nor make peace on the spot, Stevens will warn all military officers to be on the alert. Orders for pressing ammunition, for arrest of a man suspected to have murdered an Indian, and for summoning retired officers of militia back to the colours. [*Col. Entry Bk., Vol. LIV., pp.* 102-111.]

July 26.
Barbados. **1,361.** Lieutenant Governor Stede to Lords of Trade and Plantations. Sir Timothy Thornhill has been tried at the late Court of Grand Sessions and found guilty of words uttered in contempt of loyalty and good allegiance. The Court fined him five hundred pounds, a small penalty for so great a crime; but Sir Timothy has appealed to the King, so that I think it my duty to give you an account of the trial and show you that it was a fair one. Sessions began on the 7th June, and the indictment against Sir Timothy came before the Grand Jury, and afterwards before the petty jury on the 8th. His counsel excepted against the jury as being partly summoned on a writ addressed to Mr. Harwood, who was his prosecutor, and evidence against him. Though but six jurors were returned by Mr. Harwood, all the rest were supposed to be tainted by that return, and incapable of proceeding with the trial. He therefore challenged the whole array. The Court, after listening with great patience to the arguments of his counsel, overruled the general challenge, but left him free to challenge individuals. He challenged many on unfit and illegal grounds, none of them the jurors returned by Mr. Harwood, and was overruled by the Court. The trial lasted many hours, Sir Timothy being allowed full liberty to say and prove whatever he thought would extenuate his offence, since the use of the words by him was clearly proved by Mr. Harwood. Sir Timothy persistently denied it, and produced Mr. John Duboyce, whose deposition is with you, and who now gave evidence varying from that which he gave originally. Sir Timothy then endeavoured, by the testimony of several justices on the bench, to prove himself a loyal subject, and several deposed that they believed him to be such. He then tried to invalidate Mr. Harwood's evidence, but offered nothing that was not malicious or scurrilous. The Court heard him with great patience, interposing only when he wandered from the merits of the case to foul abuse and reflections on Mr. Harwood's antecedents, for many of the Council have known Mr. Harwood for years, and knew that he was not to be charged with immorality and other vices. Sir Timothy produced one witness who pretended

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that he had been suborned by Mr. Harwood to swear falsely against him, but the man contradicted himself so often that he finally left the Court ashamed. I was then called to give evidence as to words used by Sir Timothy Thornhill about the civil war, and as to improper conduct at a Committee on other occasions. On the jury finding their verdict, Sir Timothy very unbecomingly asserted his innocence by casting up his eyes and bowing to the justices, saying that this manner of dealing with him would greatly discourage the young gentlemen of the island from accepting expensive and troublesome military employments. The Lieutenant Governor interposed to reprimand him. Sentence was passed on the 11th June, when the Lieutenant-Governor reproved him that he who should have sat on the bench should be standing at the bar, and the fine of five hundred pounds was imposed by the unanimous assent of the whole Court; from which, as I have said, he appeals. *Signed,* Edwyn Stede. 7¼ *very closely written pages. Endorsed.* Recd. 3 October 87. [*Col. Papers, Vol. LX., No.* 94, *and Col. Entry Bk., Vol. VII., pp.* 440-449.]

July 27. **1,362.** Minutes of Council of New England. Act as to making of barrels read and amended. Resolved that the Indian trade be regulated by a former law till further order, that the Courts of Sessions and inferior Courts of Marine be held at York and Wells successively, and that Courts be held in Cornwall. Order that the Chief Judge's salary be £150 per annum, and the other judges' of the superior Court £120. Order for erection of fortifications on Fort Hill.

July 28. Orders for payment for the repairs of the Castle, for continuance of the ketch for the King's service, and for a boat for the Governor. Order for the execution of the judgment of the Privy Council on the appeal of William Vaughan. Order for Mr. Randolph's charges to be paid out of the next rates. [*Col. Entry Bk., Vol. LXIV., pp.* 129, 130.]

July 29.
Barbados. **1,363.** Lieutenant Governor Stede to Lords of Trade and Plantations. Having already given an account of Sir Timothy Thornhill's trial I send an account of the rest of the business of Grand Sessions. You will see therein the unquiet and evil disposition of Sir Timothy Thornhill, and the mischief that he made, though bound over in £4,000 to good behaviour. He deserved severer punishment for his scandalous reflections upon me, but when I questioned him of it he denied all resolutely until oath was made by a member of Assembly, one of Sir Timothy's own friends, who was ashamed of his behaviour. I referred the matter to the Council, who committed him to the Provost Marshal to be tried for the same at the ensuing Sessions. Sooner than endure this he begged to be allowed to make a full confession of his faults of that kind, and did so in open and full session, begging pardon and promising amendment, and hoping that this might be taken in satisfaction of his offence. It was accepted, and he was dismissed, though I have little hope that he will keep his promise longer than he is bound by obligation to good behaviour. Ever since Sessions he has made false and scurrilous reflections on a

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member of Council. I hope to smooth over the matter, but if it were not for Sir Timothy we should all be living in peace. However, he has not greatly interrupted that peace, and his power to do so will decrease daily now that he is better known and less trusted. He will probably lay before you certificates of his piety from the clergy, and of his loyalty from other people, both obtained by unfair means; I hope that these will not weigh with you in considering his appeal I do not think that he should be discharged from his obligation to good behaviour for some time, much less restored to his offices.

I now submit to you the hard case of one William Meagher, who was found guilty of murder by some mistake of the jury. He was deputy to the marshal of a regiment of foot, and was employed in levying distress on a militiaman for non-attendance at musters, and killed a man by misadventure while defending himself against the attack of some men who tried to recover the distrained goods. I respited the sentence, and beg that he may be pardoned, as the verdict of guilty of murder was a very strange and hard one. I enclose the presentment of the Grand Jury and my address to both juries. I am sending the Mary Rose again to St. Lucia, and thence to Tobago until the hurricane season be over, the bays and harbours of that island being safe and good. I hope to finish all the new forts in the island and repair the old in a very short time. The new pieces are most of them mounted. The collection of the laws has been retarded by some turbulent spirits in the Assembly, but an Act has been passed appointing Commissioners to do the work after the dissolution of the Assembly, so that the work will go forward. I beg your good offices to obtain the King's leave for me to accept £1,000 voted to me by the Council and Assembly. *Signed*, Edwyn Stede. 3½ *very closely written pages. Endorsed.* Recd. 3 October 87. *Annexed,*

1,363. I. Presentment of the Grand Jury of Barbados to Lieutenant Governor Stede, 11 June 1687. We present (1.) The disregard of the Sabbath. (2.) The prevalence of profane swearing. (3.) The want of a State-house. (4.) The insufficiency of the present gaol. (5.) The danger from the arrival of ships with sickness aboard, and the landing of the sick. (6.) The illegal extortion of money by the officers of the marshals. *Copy. Large sheet. Endorsed.* Recd. 12 August 87.

1,363. II. Lieutenant Governor Stede's charge to the Grand Jury. 2 *pp. Endorsed.* Recd. 12 August 87.

1,363. III. Lieutenant Governor Stede's charge to the petty jury. *Endorsed.* ½ *p.* Recd. 12 August 87. [*Col. Papers, Vol. LX., Nos.* 95, 95I.-III., *and (despatch only), Col. Entry Bk., Vol. VII., pp.* 427-432.]

July 29.
Council Chamber.

1,364. Lords of Trade and Plantations to Lieutenant Governor Stede. With reference to our letter of June 15 (*see No.* 1,303), you will deliver the ship Hardcreen to Samuel de Paz who has been appointed by the owners to be their procurator in the business. Since much of the rigging and cargo has been

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embezzled by the officers and crew of H.M.S. Mary Rose you will allow them no salvage money until the things themselves or their value in money shall have been restored. *Signed*, Jeffreys, Sunderland, Ormond, Albemarle, Mulgrave, Peterborow, Craven, Middleton. [*Col. Entry Bk., Vol. VII., pp.* 434, 435.]

July 30. **1,365.** Lords of Trade and Plantations to Governor Sir Nathaniel Johnson. Orders to check the importation of negroes or other goods from the Dutch Islands into the Leeward Islands, and to punish interlopers severely. *Signed*, Sunderland, Mulgrave, Bath, Godolphin, Dover, J. Ernle. [*Col. Entry Bk., Vol. XLVII., p.* 271.]

July 30. **1,366.** The King to Governor Sir Edmund Andros. Ordering him to enquire into the case of Robert Orchard and to procure him redress. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXI., p.* 356.]

July 30. Hampton Court. **1,367.** Order of the King in Council. That all letters and papers relating to Mr. George Muschamp's complaint of illegal trading in Carolina be sent to the Lords of Trade and Plantations for examination of the subject. *Signed*, Phil. Musgrave. ½ *p. Endorsed.* Recd. 10 August 1687. [*Col. Papers, Vol. LX., No.* 96, *and Col. Entry Bk., Vol. C., p.* 1.]

[July?] **1,368.** Reply of the English Commissioners to the memorial of the French Commissioners (*see No.* 1,324). (1.) Sebastian Cabot discovered the part of America in question not by chance but by particular order of Henry VII. It would be easy to prove discovery and possession before the Spaniards, who have never disputed the English right, set foot in the country. It is unnecessary to prove settlements made by Cabot or Hudson since the French made none till 1682, twelve years later than the English. (2.) There is no intention of proving rights of maps, yet the names given therein are convincing arguments as to the proprietorship. If the French intended to claim the country why were maps printed in Paris and dedicated to the Dauphin, with the English names therein? (3 and 4.) If Hudson in 1610, Button in 1612, and Luke Fox in 1612 made notable voyages, that does not exclude private voyages made in addition during that time, whereby not only possession was taken but the territory was occupied for some time and the usual marks of the English King's sovereignty left behind. The erection of crosses is as much an English as a French practice. The name of North Wales given to the neighbouring county by Sir Thomas Button shows the English King's right to those parts. (5.) The English expedition of 1667 is sufficient alone to establish their right. The employment of French deserters does not vitiate it. The Venetians might as well claim the territory because Cabot came from Venice, or the Genoese claim Spanish America because Columbus came from Genoa. (6.) The English being in possession, the Treaty of Breda tells in their favour. It is unnecessary, therefore, to prove the English King's right to the river, coasts, and Port Nelson, which are but portions of Hudson's Bay territory, or to rehearse that Nelson lived there himself from 1612 till his death, whereas the French never came there till 1682,

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when they built a small fort on the ruins of the English, whom they had by violence dispossessed. It is owned that two French ships came in 1682 to the river, which was then for the first time called Bourbon, but it can be proved that the Boston ship, Gilliam the younger master, was there first, who though he did not own the Hudson's Bay Company, was under the protection of the King of England, and needed no commission. A few days later a second ship, Gilliam the father master, arrived, when the title of the Company was explained to the French, who, however, none the less overcame both father and son, and took their vessels. It is acknowledged that the letters given by the King to the English Company confer no right, but the trade and establishments of the Company shew that the King's right was good. The English Company does not think itself liable for damages claimed by the French for disturbance in 1683, since it acted only in self-defence.

As to the titles produced by the French Commissioners, that of King Francis I. is of no force, since no possession was taken, and the rest of the letters patent are no prejudice to the English King's right since there is nothing to hinder any prince from giving Governors and Companies such titles as he pleases. Those given by Henry IV. and Louis XIII. comprehend the whole of the English possessions in America, which, however, cannot invalidate the English King's sovereignty. Were such titles insisted on there would be no safety for English subjects in any English Colony possessed since the Treaty of Breda. The French would have only to surprise them and allege imaginary discoveries, or that five or six Frenchmen had passed there before and had made some contract with the Indians. It is better to rely on actual discoveries and on possession taken. The English Company does not feel liable for losses sustained by French subjects after so manifest an invasion as that of the French in 1682 and 1686. The Company will not be wanting to keep its agents within its legitimate boundaries, if the Company of Canada will do likewise and restore the property taken by violence in time of peace. 6½ *pp. Here follows a French translation of the foregoing.* [*Col. Entry Bk., Vol. XXV., pp.* 34-48.]

[July?] **1,369.** Second memorial of the French in reply to the rejoinder of the English Company. (1.) We do not pretend to establish our right to Hudson's Bay by citing royal grants. We only wish to take advantage of authentic titles and deeds which justify the taking possession of the territory and the erection of forts and factories. (2.) It is on such proofs that we rely to refute the English statement that we had no settlement there till 1682. (3.) We beg the Commissioners to examine the following facts on our maps and documents. (4.) The French Company of 1627 was authorised by an edict of King Louis XIII., granting to it all the territory from the Arctic Circle, and from Newfoundland to the great fresh lake. (5.) The English contend that this includes Carolina and Pennsylvania; but these countries were secured to them by the treaty of 1632. (6.) The extension of Colonies is of course a matter of time and care. (7.) We sent our missionaries to all the territory granted to the Company, beginning at Quebec

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and Montreal, and hope to send them still wider afield. (8.) In 1656 we sent a ship commanded by Jean Bourdon along all the northern coast of Canada, who took authentic possession of Hudson's Bay, but made no settlement, since establishments on the coast were for the present more convenient, waiting only for a time to push closer and closer to it. (9.) With this view, in 1661 a fort was built on the river called by the English Rivière des François, two or three leagues from Rupert river. (10.) In this same year the Indians of the bay came to Quebec on purpose to place themselves under the sovereignty of France and ask for a missionary. (11.) In 1663 they came again, and Sieur Couture, a missionary, was sent to them, with four or five more, who erected a cross and the King's arms in token of renewal of possession. (12.) In 1663 the King accepted the surrender of the Company's rights to the Crown. (13.) In 1664 he established a new West Indian Company, and granted it the same territory as had been granted to the former Company. (14.) In 1665 a fort was established on Lake Superior. (15.) In the same year all the Iroquois nations put themselves under the protection of the French King. (16.) In 1666 Sieur du Bois took possession in the King's name of all the Iroquois forts. (17.) In 1671 Sieur de St. Lusson received the voluntary submission of the seventeen nations in the coasts of the bay to the sovereignty of France. These seventeen nations include the Ottawas of Lakes Huron and Superior, of the northern territory, of Hudson's Bay, Puans' Bay, and the lake of the Illinois. (18.) In 1672 Father Albanel and Sieur de St. Simon took possession anew of the country between the St. Lawrence and Davis' and Hudson's Straits. They planted a cross at the Rivière des François. (19.) In 1673 six forts were built on Lakes Ontario and Illinois, at Crevecoeur and elsewhere, and factories with them. Having thus established its trade on a solid basis, we built one fort and factory at Port Nelson. (20.) The English had no settlement there until 1682, when the barque came from Boston and was wrecked, as has been already related. (21.) So far for the statement that we knew nothing of the country till 1682. (22.) As to the English settlement on Rupert's river, for which a royal grant was obtained in 1670, the English themselves hold that royal grants do not avail against possession taken. They could not reach the river without the help of our deserters. (23.) As to the peaceable possession which they plead, Mons. de Frontenac remonstrated as soon as he heard of it with the head of the factory, and the King remonstrated likewise with the English Ambassador. Other more important business, however, caused a settlement of the question to be delayed. (24.) Ancient possession and the right of first occupation justify the French in complaining of the attack on their forts and factory at Bourbon river, yet though the French Company sent an emissary to claim satisfaction he could obtain none. It was therefore obliged to take the English settlements by way of reprisal. (25.) Thus, therefore, the French right is made out. *French.* [*Col. Entry Bk., Vol. XXV., pp.* 49-58.]

[July?] **1,370.** Petition of Samuel Dyer to the King I had no notice of your order on the appeal of Richard Scot until 16 July. The

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whole of his appeal is scandalous and vexatious. I beg that it may be dismissed and that I may be released from further attendance. *Signed*, John Cressett, jun. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LX., No.* 97.]

July. **1,371.** "A list of injuries sustained by the English from the Spaniards since the Treaty concluded at Madrid the year 1670." An enumeration of the various ships captured or plundered from 1670 onward, the latest mentioned being in July 1687. *The whole* 12 *pp.* [*Col. Papers, Vol. LX., No.* 98.]

[July.] **1,372.** Commission to the Duke of Albemarle to take upon him, on his passage out, the command of the force in any Colony so long as he shall remain there. [*Col. Entry Bk., Vol. XXXI., pp.* 333, 334.]

Aug. 4. **1,373.** Minutes of Council of New England. Resolved that the Governor of Port Royal be written to for satisfaction for the seizure of two ketches by the French. [*Col. Entry Bk., Vol. LXIV., p.* 133.]

Aug. 4. Jamaica. **1,374.** Lieutenant Governor Molesworth to the Lords of the Treasury. In obedience to your order I report on the perquisites of my office. The proper perquisites of the Government are only what arise from the Broad Seal and the Admiralty. The Broad Seal includes two items, patents granted for land, etc., and patents of naturalisation. The perquisites of the Admiralty are upon condemnation of goods and vessels forfeited by law, which are rare, and are generally appraised in favour of the sufferer. The accounts of passing patents on land, etc., from the death of Sir Thomas Lynch to the death of Sir Philip Howard amount to £530, and from that time forward to £25, making in all £555; those from the Admiralty within the same period amount to £115 8*s.* 4*d.*, making with the other a total of £670 8*s.* 4*d.* for the perquisites of three years' government. All escheats are valued by a jury of twelve, and are paid into the Treasury here. Sometimes, though rarely, the Governor makes some profit from the person to whom he grants it, owing to the undervaluation of the jury. But I have gained nothing by this means except a debt of £50, which had otherwise been lost. The profits from liquor licences are paid to the public revenues; passes for ships and marriage-licences belong to the secretary, and are of no profit to the Governor. The salary paid to the Governor in Chief from the revenue here is £2,000 a year. I have been Commander in Chief without dependence on any one since the death of Sir Thomas Lynch, and as I enjoyed all the rights and powers of Governor in Chief I did not doubt my right to the whole salary and have lived up to it. I have spent £6,000 in this near three years of government, so that it is hard for me to pay £3,000 more to Sir Philip Howard's executors and to the Duke of Albemarle. I shall, however, submit, though I hope that the King will make it good to me some other way. It is true that for a little time, while the Assiento was in the hands of the Spaniards, we had a Spanish trade for negroes, by which I made some advantage, though infinitely less than my enemies assert, but these profits came to

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me only as a merchant, for the whole trade is supported by my money, credit, and conduct, so that considering the £3,000 I lose of salary I had better not have been Governor. I gave up a considerable trade in sloops that I might better attend to the affairs of the Government, and as factor to the Royal African Company I was sufficiently qualified by my own money and credit to encourage the Spanish trade without any other assistance from Government beyond the King's regulations. I hope, therefore, that the whole of the perquisites may be allowed to me. *Signed*, Hder. Molesworth. 3½ *pp.* *Endorsed.* Recd. 21 November 87 from Mr. Guy. *Enclosed,*

1,374. I. Account of the perquisites arising to the Governor of Jamaica from the condemnation of ships from 24 August 1684. Total, £115 8*s.* 4*d.* Sworn before John White, 16 August 1687. *Large sheet.* *Endorsed.*

1,374. II. Account of the perquisites arising from patents of naturalisation within the same period. Total, £140. Sworn 6 August 1687. *Large sheet.*

1,374. III. Account of the perquisites arising from the grant of patents for land within the same period. Total, £124. *Large sheet.* [*Col. Papers, Vol. LXI., Nos.* 1, I.-III.]

[August.] **1,375.** Abstract of the three foregoing accounts. [*Col. Papers, Vol. LXI., No.* 2.]

Aug. 4. **1,376.** Minutes of Council of Maryland. Order for Thomas Taylor to deliver the records of his office to Henry Brent renewed. Letter from Colonel Stevens that he had met the Indians, and that they agreed to send ten of their great men to St. Maries to renew the peace. [*Col. Entry Bk., Vol. LIV., pp.* 111-113.]

Aug. 5. **1,377.** Propositions made by Governor Dongan to the chiefs of the Senecas, Cayongas, Onandagas, Oneidas, and Maquas in the city hall of Albany. Brethren, I am glad to see you, and to learn that you have sustained no loss from the French, who meant to have destroyed you. As soon as I heard of their design I warned you, and came up here myself to be ready to help you. I am just sending a messenger to England to report this invasion of the King's territory and of his brethren, but I wish to know first if you have given any provocation to the French, and if so in what manner. I must know the truth, for this may lead to war between the French and English Kings in Europe. I know the French Governor would not dare to invade you without provocation, if he thought you were the King of England's subjects; but two or three years ago you made a covenant chain with the French contrary to my commands. I knew that it would not last long, for you have no right to treat with any foreign power, and I believe that this is the only reason why the French have fallen upon you. I took it very ill that after you had declared yourselves the King of England's subjects you should ever offer peace or war without my consent. You know we can live without you, but you cannot do without us. You know that I have never told you a lie, and I am here to help you with my advice, for I know the French better than you do. Now

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that the French have made war on you I command you to listen to no treaty but by my advice. If you follow it you shall have the benefit of the great chain concluded between the Kings of France and England which came from England, and which I have sent to Canada by Anthony Lespinard. Now my advice is that you kill no French prisoners but keep them, and exchange them for your own people whom they have taken prisoners. Then I would have one or two of your wisest Sachems and as many of your chief captains form a Council to manage the war, that your designs may be kept secret; which Council shall correspond with me. Then I advise you to send messengers to the Ottawas and the further Indians and make a covenant chain with them to expel all French from among them, and make a path for them this way, for they too are the King of England's subjects, so that they can come here freely and trade with us cheaper than with the French. They will pay you a yearly acknowledgment for the path, and you will make a firm league with them against the French. You should also open a path for all the North Indians that are at Ottawa and try likewise to bring them home. They do not dare to come home your way, and the French try to keep them to join with the further nations for your destruction. You know that one of them is worse than six of the others, so you must do your best to bring them home and treat them well as they pass through your country. You shall also send to all the Christian Indians in Canada to come home.

I think it very necessary for your protection to build a fort on the lake, and I would have you tell me what is the most convenient place for it. You should not keep your corn in your castles but bury it a great way off in the wood, that none may know where it is. I have already told you how you are to manage your parties and to get exchange of prisoners. I am glad that you are united and that there are no French spies among you. You remember my advice to you this spring not to go to Cadaraqui. If you had, they would have served your people as they served those that returned from hunting; for I know the French better than you. I find that all the advice that I gave to you while the priest lived at Onandaga was written by him to Canada; so I desire you not to receive him nor any French priests any more. I have sent for English priests for you. Look out sharply against surprise. I believe that all the strength of the French will be at Cadaraqui and Oniagro, where they are building a fort, and at Troy river [*Trois Rivières*], Montreal, and Chambly. Let me remind you again to make no treaty without me. Now I must chide you and tell you that you are not men of your word, for three years ago the past Governor of Virginia forgave at my mediation all the evil that you had done, and the hatchet was buried in my presence, yet I hear that some of you have killed a gentleman in Virginia, and I hear that a party of Oneidas is still at the head of James river designing to ruin all the Indians thereabout, and to fall on the English out-plantations for that purpose. All this was learned from a Virginian Indian, who was taken by them but escaped. Do you think that you can war with all the Christians in America, who are a thousand against one of you?

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You seem to make no difference between friends and foes. What are you about? The Christians would not have endured it from each other, much less from you, who have been protected by me these four years past. So I charge you to send me those prisoners as soon as you are returned to your castles; and I tell you plainly that unless you forbear from mischief, I shall dig up the hatchet, join myself with Lord Howard, and utterly ruin you. Already the French Governor complains that I protect people who murder the King of England's subjects. Do so no more, or I shall protect you no longer. Order your parties in that direction to return, and send no more of them. I will try to stop Lord Howard's mouth that he shall not complain of you to the King, promising that you will give satisfaction as soon as the war with the French is over. I have said this to all of you, but I must exclude the Senecas, who I find are brave, honest men, and who never disobeyed my orders except in making that unlucky peace with the French, which has brought on these troubles. Now I hope you will all obey my orders. Lastly, I recommend the chiefs to allow no man to get drunk during the war. *Certified true copy.* 6½ *large pages. Printed in New York Documents III.*, 438-441. [*Col. Papers, Vol. LXI., No.* 3.]

Aug. 6. **1,378.** Answer of the Maquas, Oneidas, Onandagas, Cayongas, and Senecas to the Governor's propositions. First a Maqua Sachem made a speech to the Sachems, approving and agreeing with every point in the Governor's speech, and saying that they now knew that promise without performance was useless. He then addressed the Governor. In answer to your question as to the provocation which we have given to the French, we can think of nothing except that a party of Senecas and Onandagas plundered a French barque at Oniagro six years ago, but this was three years before the peace. A year ago, too, some of the Senecas and Onandagas took a hundred beavers from a Frenchman at Oniagro who had no pass, but this was by your orders, and cannot be the ground of quarrel, for we returned the beavers. The only reason that we can think of is that we have given our lands and ourselves to the King of England, as was confirmed here. We war with the far nations because they kill our people when we go hunting, but what have the Christians to do to join one side or the other? Brethren, why not join with us in a just cause when the French join our enemies? The French would fain destroy us and take the whole of the fur-trade to Canada; but do not allow us, who are under your protection, to be destroyed. The French, too, are angry that we guide your traders to the further Indians and open the way for them to Albany. We confess that a party of Onandagas and Senecas plundered some French whom they found supplying their enemies with arms and ammunition, and that they took some Ottawas, who are our enemies, prisoners, but we sent them back by your orders, though they had killed several of our people. As to the Governor's proposals, we shall answer the principal heads only. We think it good advice to make peace with the far Indians, and will send some of their Ottawan prisoners whom we have to effect it. We thank you for the advice, and give you three belts of wampum for it. We think it good, too, to exchange prisoners with the French, and ask you to be our mediator with the Governor of Canada therein. We do not know if we can make peace with the Twichtwicks, who are our mortal enemies, but we will try, and we give three belts of wampum. We agree, too, to receive no more French Jesuits, and give three belts of wampum. The best place for a fort we think is Cajouhago, where there is a river which runs to Lake Cadaraqui; and we give three belts of wampum. Our young men have done mischief in Virginia. They started before we returned from making the peace, and without our knowledge. If they do so again thev shall answer for it. We give four pairs of beaver skins. We will open a path for the far Indians, and send a messenger to them as soon as we return. We give four pairs of beaver skins. We shall fight the French as long as we have a man left, as they have begun so unjustly, and will not make peace without you. We are much inclined to recall the Indian Christians from Canada, but do not see how to do it except by returning some captured men of them to persuade the rest. We give a belt of wampum. We beg you to keep a sharp eye towards Canada, and to warn us of any intelligence from that quarter. We shall keep you fully informed of what occurs in these parts. We give a belt of wampum.

After this some of the Indians asked the Governor, in conversation, to get them a poison of which they had heard, which would kill their enemies without fighting, that they might poison the French. 6 *large pages. Certified copy. Printed in New York Documents III.*, 441-444. [*Col. Papers, Vol. LXI., No.* 4.]

Aug. 6. 1,379. Information given by three Sachems of the Senecas and another. We do not know for what cause the French have made war on us. Four or five years ago we did plunder some men trading without a pass, but we were ordered to do so; and three years ago we met a company of French going to supply our enemies with arms and ammunition, which we took from them, thinking this very unjust. But there is an old grievance of thirty years ago, when a castle with a French priest therein was besieged by the Senecas and Onandagas. The French always rip this up. All these things were supposed to have been buried by Governor Labarre three years ago, when he came to Cayhuhage, when it was agreed that the French would make war on the Senecas if they did them any more mischief, which the Senecas accordingly have not done. Then trouble came through a private quarrel of a Seneca with an Ottawa, when the Ottawa was killed; but this is all the harm done to the French or the Allies since the peace, except the plundering of traders without a pass, which was done by order. The Governor of Canada sent for the Sachems of the Five Nations to meet him at Cadaraqui this spring, but, being the King of England's subjects, we took no notice. Then we heard that the French were preparing to make war on us, and sent some men to the Lake-side to spy. Four men went off in a canoe, with express orders to do the French no harm, and hailed them, but were told to go to the devil. The spies then returned to the Castles, and on approaching the French again later were fired at. The

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tribe then withdrew the old men and women from the Castles, and meanwhile the French landed and marched up in that direction. Four hundred and fifty young warriors waited for the French army on a hill before the Castles, and saw the French advance, Indians on each wing and French in the centre. The Senecas being impatient, would not keep order, as told by their officers, but advanced against the left wing while the enemy was halted to rest, and after a volley on each side, fell upon them hand to hand. The enemy's left wing was broken, and the French forced to retire, but they soon halted, and the Senecas seeing that they were too numerous, retreated. 6 *large pages.* [*Col. Papers, Vol. LXI., No.* 5.]

Aug. 6. **1,380.** Journal of Council and Assembly of Nevis. On the proposal of the Governor and Council, the Assembly voted a donation of 100,000 lbs. of sugar to Governor Sir Nathaniel Johnson. Orders issued by the Governor and Council, on the proposal of the Assembly, for hire of a vessel to fetch stones for building the forts and for removing the timber for the forts to a safe distance from the shore. On the proposal of the Assembly, the Governor and Council agreed to reduce the rates on liquor to the figures of 1675. A proposal of the Assembly that Indian Castle should be made a place for receiving, paying, and shipping sugar, was postponed, on the application of Mr. Thomas Belchamber. Petition of the Council and Assembly to Sir Nathaniel Johnson, to forward a memorial to the King against the additional tax on sugar in England. Copy of the memorial, setting forth the hardship of the new tax, and that whereas European commodities could formerly be purchased at forty or fifty per cent. profit, the merchants now asked one hundred and fifty to two hundred per cent., giving the tax as the only reason. Act for a donation to Sir Nathaniel Johnson. [*Col. Entry Bk., Vol. XLVIII., pp.* 154-159, *and* 213-217.]

[Aug.?] **1,381.** Answer of the Hudson's Bay Company to the second memorial of the French Company (*see No.* 1,369). Since the French Company waives all rights to Hudson's Bay from the mere grants and concession of Kings, we aver again that the right of possession belongs only to the English. Chance voyages or missions sent for the sake of religion cannot prejudice the English title by ancient discovery. If before 1682 any real establishment were made by any other nation than the English (which is not proved by the French), yet the same was an invasion of the English sovereignty. As to the case of Carolina and Pennsylvania, the Treaty of 1632 has no bearing on the question. It is a sufficient answer to most of the French paper to assert that Canada and Hudson's Bay are two distinct provinces. The English, when they owned Canada, did not esteem Hudson's Bay a dependency thereof, and it is to be hoped that the peace between the two Crowns will not be endangered by any such pretensions on the part of others. All who know anything of the Indians know that it is easy to produce submissions and capitulations from them to the French, but no action of these savages can alter an established right. We do not pretend that the French had no knowledge of Hudson's Bay before 1682, being

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aware that the French have long envied the prosperity of our trade and settlement, and attempted to undermine their commerce with the Indians, which, however, they could not do until the assault made on the English in 1682, which is averred to be the first pretended settlement of the French on the Bay. The insistence on the services of French deserters show the weakness of the French case. Mons. de Frontenac may have protested, but did the French ever openly claim the Bay until 1682? Why did they allow our trade to pass in silence for twelve years? It seems because the time for their encroachment was not convenient before 1682. We hope not only for maintenance of our right, but for satisfaction for our losses. *Here follows a French translation of the foregoing.* [*Col. Entry Bk., Vol. XXV., pp.* 59-69.]

Aug. 8. Jamaica. **1,382.** Lieutenant Governor Molesworth to William Blathwayt. We hear that one Captain Bear, who formerly held a commission from Sir William Stapleton, is turned pirate, and has robbed several of our fleet that sailed from hence. He took £1,000 from a New England man, besides what he took from the Londoners and other ships bound for Ireland, and has chosen his station so that no ships from hence can pass without discovery by him. Captain Spragge is returned from his voyage to Campeachy and Vera Cruz with seventy-one prisoners restored to him by the Spanish Governors. He also brought in six French pirates, who had robbed some of our vessels, and eleven of Coxon's men, who are all to be tried to-day. Spragge told me that he heard from Campeachy that Bear was married at Havanna, and gave himself out as a faithful subject of the King of Spain. I have therefore sent Captain Spragge to Havanna to demand him as a pirate and an English subject. He gave out that his wife was a noblewoman, who ran away with him, and they actually fired the guns of the Castle as a salute to her, while the Governor and most of the chief men of the town were present at the wedding. The nobleman's daughter is a strumpet that he used to carry with him in man's apparel, and is the daughter of a rum-punch-woman of Port Royal. I have hopes that he may be surrendered to me, or, at any rate, not allowed to take his ship to sea again. Eight of Coxon's men are condemned, the other three having turned informers. Of the French, three are condemned, one acquitted, one remanded. *Signed,* Hder. Molesworth. Recd. 1 Oct. 1687. [*Col. Entry Bk., Vol. XXXII., pp.* 39-41.]

Aug. 9. Boston. **1,383.** Petition of Edward Randolph. Recounts his previous services, and asks for appointment as Secretary of all New England, his previous commission not empowering him as Secretary of Rhode Island and Connecticut, which are now included in New England. *Signed,* Ed. Randolph. *Holograph.* 1 *p.* [*Col. Papers, Vol. LXI., No.* 6.]

Aug. 9. **1,384.** The Lieutenant Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the Council's transactions and of imports. *Signed,* Edwyn Stede, Tho. Walrond, Fra. Bond, John Hallett, Richard Harwood, John Gibbes, Henry Quintyne, John Reid, Benj. Skutt. [*Col. Entry Bk., Vol. VII., p.* 450.]

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Aug. 10. Bermuda. **1,385.** Governor Sir Robert Robinson to [the Earl of Sunderland]. The Assembly has sat, as I told you, and given the King a small customs-duty, which done, they adjourned, the weather being very hot, till 3 October next, just when all their papers were almost brought to a head. I have permitted several more vessels to go to the wreck, and shall inform you of their success. Pray let me have instructions on this. I have been forced to spend some of the King's tenths on the Castle, forts, and house, for nothing is done as to the house yet, and myself and servants are forced to live in lodgings, to the spoiling of my goods. We want an able lawyer here, or the King will be defrauded of land and negroes, and I shall be unable to erect courts of justice. Moreover, I have no Attorney-General. Pray let me have copy of the Treaty of Neutrality with France. *Signed,* Robt. Robinson. [*Col. Entry Bk., Vol. XVIII., pp.* 127-128.]

Aug. 10. **1,386.** Minutes of Council of New England. Act concerning barrels and staves passed. Order for a court to try the suspected pirates. Land grants approved. Resolved that the best way of meeting the expense of government is by an import duty and excise on strong liquors. [*Col. Entry Bk., Vol. LXIV., pp.* 134, 135.]

Aug 10. Nevis. **1,387.** Governor Sir Nathaniel Johnson to Lords of Trade and Plantations. I found the two companies at St. Christopher's much distressed for want of pay, so having by me some provisions which had been sent for the Dartmouth, I had them appraised and let the soldiers have some for their sustenance according to the appraisement. I have carefully inspected the fortifications at St. Christopher's, and the soldiers who were mustered before me. I enclose the muster-rolls, and find that their state has been misrepresented to you, for they are almost complete. My company consists of seventy private sentinels, and Colonel Hill's of seventy-three; but several of them are very ancient, and unfit to bear arms, so if the King will send us forty or fifty recruits, those that are old and already turned planters in the county would be glad to be disbanded, and yet would be of good service on occasion. They have neither drums nor colours, and their arms are in bad order. Their clothes, too, are miserable, and their pay four years in arrear. I beg that their condition may be represented to the King, and that effectual measures may be taken for their support. I have in some measure quieted their minds, by assuring them that they would be relieved as soon as the King knew of their state. There being a vacancy for a lieutenant, I conferred it on Mr. Francis Overton, who was for ſome time in his Majesty's Guards and did good service in the rebellion in the West, so I hope that he may be confirmed. The fort, though it has cost the country much, is not yet finished. The people told me that the work is so great that they cannot go through with it without the King's assistance. I found but sixteen guns mounted, and those upon very bad carriages, whereas the fort ought to mount fifty. It is so long since the stores were renewed, that at my coming I found but one ladle, and that a very bad one, to load all the guns withal.

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I send an inventory of what is necessary, which I hope may be speedily sent here. Since my return from St. Christopher's, Sir James Russell is dead, but as I am here myself, I have not appointed a deputy, nor shall I, unless I move my residence to another Island. Colonel Redmond Stapleton, Lieutenant Governor of Montserrat, is also dead. I have put in a kinsman of my own, Mr. Nathaniel Blakeston, who served for some time abroad, but returned to serve the King at the news of the rebellion in the West. I hope that he may be confirmed in the office. I have enquired into Colonel William Burt's neglect to report a gift of 100,000 lbs. of sugar made to him, but as he was dead before I arrived, his executors pretend ignorance, and that Sir William Stapleton never told him that it was necessary to report the fact. Everyone agrees that he was a good servant to the King, and as it would be the ruin of his family to seize his property for the reimbursement of the present, I have delayed the execution of it till I have the King's orders. I enclose copies of two Acts passed before my arrival, one for confirmation of former wills and testaments, and one against trading with negroes. I enclose also two Acts, one from St. Christopher's, granting me 60,000 lbs. of sugar, the other from Nevis, granting 100,000 lbs. of sugar towards the payment of the expense of my voyage hither, to which I beg the Royal assent. I have not yet been able to visit Antigua and Montserrat, no man-of-war being here at my arrival. It is now the hurricane season, but I hope that the King will send us a ship shortly. I have not yet taken the numbers of the whites and negroes. *Signed*, N. Johnson. 2½ *closely written pages. Endorsed.* Recd. 11 Oct. Read 25 Oct. 87. *Annexed*,

1,387. i. Muster-roll of Sir Nathaniel Johnson's company of foot at St. Christopher's. 3 officers, 2 sergeants, 3 corporals, 2 drummers, 70 privates. *Nominal roll. Signed*, N. Johnson, Daniel Fogarty (lieutenant), Clement Crooke (ensign), Ja. Phipps, muster-master. 7 July 1687. 2 *pp. Endorsed.* Recd. 11 Oct. 1687.

1,387. ii. Muster-roll of Colonel Thomas Hill's company of foot. 2 officers, 2 sergeants, 3 corporals, 2 drummers, 73 privates. *Signed*, Tho. Hill, Francis Overton (ensign), Ja. Phipps (muster-master). 7 July 1687. 2 *pp. Endorsed as the preceding.*

1,387. iii. Inventory of stores required for James Fort, St. Christopher's. (1.) Forty or fifty recruits, of whom (2) one or two to be gunsmiths. (3.) Colours, drums, halberds; and firelocks for 160 men. (4.) Rammers, ladles, &c., for guns. (5.) A flag or two. (6.) At least thirty-five cannon, with shot and all other necessaries. ½ *p. Endorsed as the preceding.* [*Col. Papers, Vol. LXI., Nos.* 7, 7i.-iii., *and (despatch only) Col. Entry Bk., Vol. XLVII., pp.* 272-275.

[Aug. 10.] **1,388.** Petition of Sir Nathaniel Johnson to Lords of Trade and Plantations. Praying for a report to the King, recommending the allowance of the presents granted to him by St. Christopher's and Nevis. 1 *p.* [*Col. Papers, Vol. LXI., No.* 8.]

1687.
Aug. 10.
Nevis.

1,389. The Clerk of Assembly of Nevis to Lords of Trade and Plantations. Forwarding Journals of Council and Assembly from September 10, 1686. *Signed*, Tho. Thorne. [*Col. Entry Bk., Vol. XLVIII., p.* 129.]

Aug. 12.

1,390. Journal of Lords of Trade and Plantations. Report of the Commissioners of Customs as to the Acts of Virginia read (*see No.* 1,337). Order for copies to be sent to Lord Howard of Effingham and Lord Baltimore. Abstract of Lord Howard's letter of 21 May read and referred to Mr. Pepys.

The presentment of the Commissioners of Customs of 1 July, with copy of Mr. Muschamp's letter, read. Copies to be sent to the Proprietors of Carolina, for their reply.

Sir Robert Robinson's letter of 25 April read (*see No.* 1,217). Copy to be sent to Commissioners of Customs.

Representation of Proprietors of East New Jersey read and referred to the Lords of the Treasury.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 95-103.]

[Aug. 12.]

1,391. Robert Byndloss to Lords of Trade and Plantations. I can make it clear by abundant evidence that I, who had been one of the Council since 1664, was turned out of it by the malice and falsity of Sir Thomas Lynch. I wrote this in a letter to my brother, wherein I also charged Colonels Samuel Barry, Beeston, and Waterhouse as being parties concerned in the interloping ship Hawk, as well as Mr. Bathurst, Captain Lowe, Mr. Thomas Duck, and Mr. Daniel Hicks. The depositions on this matter were taken in accordance with your orders, and show the complicity of the three first-named. Although the Hawk landed her negroes in the parish of St. George's, and had her provisions ready for her three months before, she arrived by appointment of Barry and Hicks, directed to Mr. Argyle and Mr. Baxter, Argyle being chief of the plantation when the negroes were landed, captain of a troop of horse, Custos Rotulorum, and Chief Judge of the Court since the turning out of Sir Henry Morgan. Only three out of the twelve deponents are any way known to me and none of the parties concerned. It was transacted before Sir Henry Morgan and the two justices, before whom I might have laid twenty more depositions had I been so minded. One of the justices, Major Andrew Langley, passed them on to Argyle, who sent them to Colonel Barry as fast as they were taken, whereby Barry was able to send them home to his friends the interlopers before me. I went down to see the Lieutenant Governor, read copies of the depositions to him, and said that I would send them home, as Mr. Beeston and Mr. Waterhouse had had the impudence to tell their Lordships that my charges were false and malicious. The Governor said that even if I turned them all out and gave great trouble to all concerned at home, why should I be so much concerned about Mr. Beeston, who was but a letter-carrier in all that passed between Sir Thomas Lynch and myself? I replied that I had no prejudice against Mr. Beeston, nor any of them, but simply desired to serve the King by supporting the Royal African Company. Sir Thomas Lynch, in his exasperation, turned me out and put two fellows over my head, by their Lordships' order as he said, one Colonel Samuel Long, who soon afterwards died, and the other Colonel Samuel Bernard, who sat under me two years when I was Chief Judge, and pleaded under me more than half a year as a private lawyer. This I have had put upon me without being charged with any misconduct. The same treatment of me continued under Colonel Molesworth. I had often told him in Council that if he would but promise to discharge him, Mr. Daniel Hicks would swear to evidence which would prove the complicity both of Barry and Beeston in the transactions of this interloper. I grant that I never so far insisted as to make that part of my proof, though I did insist on the twelve depositions as material. Hicks was never present at the enquiry but once in four times, and was never examined at all. I have often told Colonel Barry to his face that he was an aider and abettor of the whole transaction, and this is proved by the depositions. After my absence, Sir Francis Watson and Colonel Ballard were urged by Sir Charles Modyford, Barry's uncle by marriage, to swear that I had discharged Barry, but they refused. When they came and told me of it, I laughed at it as a dream. They also told me that Sir Charles Modyford was "in a great fit with them," but presently said that he spoke only in jest. As to Colonel Barry's railings, I will not trouble you with them. I do not regret the trouble that I have had in this business for the King's service. *Signed*, Robt. Byndloss. 3½ *pp. Endorsed.* Recd. 12 Aug. 86. *This letter is in many places so confused and incoherent as to be unintelligible.* [*Col. Papers, Vol. LXI., No.* 9, *and Col. Entry Bk., Vol. XXXII., pp.* 25-30.]

[Aug. 12.] **1,392.** Abstract of the complaints of Lord Howard of Effingham against Captain Crofts, R.N. (*see No.* 1,264). 5 *pp. Endorsed.* Read at the Committee, 12 August 1687. [*Col. Papers, Vol. LXI., No.* 10.]

Aug. 12. **1,393.** William Blathwayt to Samuel Pepys. Forwarding the papers named in the preceding abstract, with instructions to have them ready, together with the letters from Captains Allen and Crofts, to present to the King next Sunday. [*Col. Entry Bk., Vol. LXXXIII., p.* 175.]

Aug. 12. **1,394.** William Blathwayt to Lords Proprietors of Carolina. Forwarding copy of Mr. George Muschamp's letter as to illegal trading at Carolina for their answer thereto. (*See No.* 1,204). *Draft.* ½ *p.* [*Col. Papers, Vol. LXI., No.* 11, *and Col. Entry Bk., Vol. XXII., p.* 118.]

Aug. 12.
Council
Chamber.
1,395. William Blathwayt to Lord Baltimore. Forwarding copies of the report of the Commissioners of Customs on the Acts of Virginia for restriction in tobacco planting (*see No.* 1,337) for his observations. *Draft with corrections.* 1 *p.* [*Col. Papers, Vol. LXI., No.* 12.]

1687.
Aug. 13. **1,396.** Petition of the merchants and owners of Maryland and Virginia to the King. Praying for a law to prohibit the exportation of tobacco in bulk, by which they suffer much. *Sixteen signatures.* 1 *p.* *Endorsed,* with a minute from the secretary to the treasury referring the petition to the Commissioners of Customs. *Signed,* Hen. Guy, August 13, 1687. [*Col. Papers, Vol. LXI., No.* 13.]

[Aug. 13.] **1,397.** Reasons why the exportation of tobacco in bulk from Maryland and Virginia should be prohibited. I. As regards the King's interest. 1. Bulk tobacco is the only tobacco that is run by seamen and other smugglers. 2. A great deal has been so smuggled into the Kingdom. 3. It compels the King to maintain thrice the number of officers in tobacco ships. 4. It is shipped from Virginia privately to other countries beyond sea. 5. It keeps several such ships from the west and north-west of England employed in smuggling. 6. It causes 25 per cent. loss to the King by waste and shrinkage, which is not the case when it is shipped in cask. 7. It makes it impossible for the master of a ship to make a true report of his lading. 8. It diminishes the number of ships plying to Maryland and Virginia, because tobacco in cask would fill six ships where bulk tobacco fills five. 9. It leads to false oaths and fraud at the Custom house. 10. It suffers much in the voyage. 11. It occasions great loss to merchants and owners by ships putting into places in the hope of running their cargo, whereby they are often lost. II. As regards the government of Virginia. 1. Bulk tobacco defrauds the Government of the twopence a hogshead duty. 2. It prejudices the port-charges by the use of five ships when there might be six. 3. and thereby diminishes shipping and the sale of provisions to ships by one sixth. 4. It enables vast quantities to be exported clandestinely. 5. It disenables masters of ships to give a true report to the Government of their cargo. III. As to shipping and navigation. 1 and 2. Repetition of reasons given already. 3. It occasions great disputes between officers and seamen, as loading in bulk takes a long time. 4. It occasions many suits in the Court of Exchequer, owing to fraudulent dealing. IV. As to merchants and planters. 1. It lowers the price of tobacco, ships which do not carry five hundred hogsheads carrying from forty to sixty thousand pounds in bulk. 2. It injures the fair trader by its facility for fraudulent dealing. 3. It fills the early markets and delays the despatch and sale of goods. 4. It is a trade carried on mostly by ungenerous traders. 5. Little tobacco is sold till the bulk tobacco is disposed of. 6. So merchants are ruined by the delay of shipping and loss of their market.

To remedy all which it is proposed that the shipping of tobacco except in hogsheads be prohibited. If it be said that tobacco cannot be made up in small parcels if bulk be prohibited, we answer that no planter makes so little tobacco as not to fill a hogshead, and that the cost of the cask falls on the merchant. Seamen that bulk the tobacco do not buy it of the planter loose but in cask, and stave the cask and throw it away. Again, the planters' servants get the opportunity of stealing it, which could be prevented, for

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it is known that servants have no hogshead tobacco to sell. 3¼ *pp.* [*Col. Papers, Vol. LXI., No.* 14, *and Col. Entry Bk., Vol. LXXXIII., pp.* 148-156.]

Aug. 14. **1,398.** The King to Governor Dongan. Your former orders are revoked, and you will permit all vessels bound for Perth in East New Jersey to sail there direct without touching at New York, provided that the Government of East New Jersey permit the King's dues to be peaceably collected. *Signed,* Sunderland, Arundel, Bath, Middleton, Godolphin, J. Ernle. [*Col. Entry Bk., Vol. LXVIII., pp.* 163, 164.]

Aug. 14. **1,399.** Lords of Trade and Plantations to Governor Dongan. To the same effect as the foregoing. *Signed,* Sunderland, Arundell, Bath, Middleton, Godolphin, J. Ernle. [*Col. Entry Bk., Vol. LXIX., pp.* 119, 120.]

Aug. 14. **1,400.** Warrant for the use of the Great Seal of New York. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. LXVIII., pp.* 164-166.]

Aug. 14. Windsor. **1,401.** Order of the King in Council. Granting the Duke of Albemarle leave to return to England from Jamaica at any time for such reasons as he thinks fit, notwithstanding the regulation against the absence of Governors from their Governments without permission. *Signed,* William Blathwayt. [*Col. Entry Bk., Vol. XXXI., p.* 309.]

Aug. 15. **1,402.** The King to Lieutenant Governor Stede. Ordering Mr. Salter to be sworn of the Council of Barbados. [*Col. Entry Bk., Vol. VII., p.* 435.]

Aug. 15. **1,403.** Bond given by John Wilde for the clearing of the ship George of Boston. *Signed,* E. Randolph, collector. 1 *p.* [*Col. Papers, Vol. LXI., No.* 15.]

Aug. 15. **1,404.** Additional instruction to the Duke of Albemarle. To protect and encourage all Roman Catholics, and in particular Dr. Churchill, appointed pastor of the Roman Catholics in Jamaica. ½ *p. Endorsed.* [*Col. Papers, Vol. LXI., No.* 16, *and Col. Entry Bk., Vol. XXXI., pp.* 334, 335.]

Aug. 16. Jamaica. **1,405.** Sailing orders from Lieutenant Governor Molesworth to Captain Thomas Spragge, R.N. Ordering him to sail to Providence to take the pirate Woollerly, and thence to Havanna to demand the surrender of the pirate Bear, or failing that, to seek him out and destroy him. *Postscript.*—August 18. Leaving the captain liberty to select which of the two places he will first visit. *Copy.* 2 *pp. Endorsed.* Recd. 17 November 87. [*Col. Papers, Vol. LXI., No.* 17.]

Aug. 17. Jamaica. **1,406.** Lieutenant Governor Molesworth to William Blathwayt. Captain Spragge was just starting from Havanna when intelligence reached me of the arrival of some pirates with a rich prize at Providence. There they quarrelled and burnt the ship, but some of them had bought a vessel and intended to sail for New England, but were detained by want of provisions. It is

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said that some of these pirates have at times given half a crown a pound for flour. So I sent Captain Spragge thither first, and afterwards to Havanna, as the enclosed instructions shew. I send you by desire of the persons concerned some depositions of the injustice done to one Jennings, commander of a sloop belonging to Jamaica. He met a ship at sea to which he sold to the value of about six hundred dollars, after which he was taken by a Biscayner and carried into Carthagena, where his vessel was condemned on no other evidence than was forced from him, of having sold these goods at sea. I send also two other depositions concerning the Biscayners, one about a turtling sloop which they robbed near this island with most inhuman treatment of the poor men; the other of their taking a ship belonging to London at Tortugas, carrying her to Caraccas, selling her, and dispersing the people among the fleet. The mate and one more being sent to Vera Cruz, were brought here by Captain Spragge. I have heard a great deal more than I can yet prove of these Biscayners, so that they deserve to be called to account for it. I am told that they had no commissions when they came out but were to receive them here from the Viceroy of Mexico, to which purpose two of them were at Vera Cruz when Captain Spragge was there, and two more are gone that way since. About a hundred Spaniards landed lately at Petit Guavos in the night, and, the place being thinly inhabited, made themselves masters of the castle, but were all put to the sword by the French, except some who were reserved to be hanged, and the captain, whom they racked to death for having no commission. *Signed*, Hder. Molesworth. [*Col. Entry Bk.*, *Vol. XXXII.*, *pp.* 52-54.]

[Aug. 17.] Enclosures belonging to the foregoing.

1,406. I. Invoice of the cargo of the sloop Phœnix, Captain John Jennings, value £2,160. Sworn the 25th June before John White, Judge Admiral of Jamaica. ½ *p.* *Endorsed.* Recd. 17 November 87.

1,406. II. Deposition of Antonio Borreo. As to the unsuccessful attack by a Spanish ship, on which he was a hand, upon an English vessel, and her subsequent capture of a sloop at Tortugas. Sworn 29 June. 1 *p.* *Endorsed as the preceding.*

1,406. III. Deposition of John Jennings. As to the sale of part of his cargo at sea; the stranding of his vessel; an attack on her while stranded by a Spanish vessel; the carrying of himself and his vessel to Carthagena; his harsh treatment by the Governor there, and the confiscation of his ship. Sworn 29 July. 1½ *pp.* *Endorsed as the preceding.*

1,406. IV. Deposition of Benjamin Porkedod and another of the capture and plunder of the sloop Relief, on which they were sailors, by Biscayners, and the brutal behaviour of the plunderers. Sworn July 4th. I *p.* *Endorsed.* Recd. 17 November 87.

1,406. V. Duplicate of the foregoing. 1¼ *pp.* *Endorsed.* Recd. 20 September 87.

1687.

1,406. vi. Deposition of Luke Abbott that he saw a Bermuda sloop at Tortugas which had been captured by the Biscayners. Sworn 9 July 1687. 1 *p.* *Endorsed.* Recd. 17 November 87.

1,406. vii. Deposition of Joseph Graisberry. As to the capture of the Bermuda sloop Speedwell, at Tortugas, by three Biscayners. Sworn 9 July 1687. *Large sheet.* *Endorsed as the preceding.*

1,406. viii. Deposition of John Paul. Further as to the capture of John Jennings's ship and the harsh treatment of the crew. Sworn 25 July 1687. 1 *p.* *Endorsed as the preceding.*

1,406. ix. Deposition of Oliver Engliss. To the same effect as No. viii. ½ *p.* *Same date and endorsement.*

1,406. x. Deposition of William Hodgson. To the same effect. *Same date and endorsement.*

1,406. xi. Deposition of Richard Robins. As to the capture of his ship by three Biscayners at Tortugas, confirming No. vi. Sworn 6 August 1687. 1 *p.* *Endorsed.* Recd. 17 November 87. [*Col. Papers, Vol. LXI., Nos.* 18, 18i.-xi.]

Aug. 17. **1,407.** Minutes of Council of New England. Order that the courts of Maine appointed for Wells to be held instead at Falmouth, and that the inhabitants of Kennebec who refuse to pay rates, shall pay them as part of the town of Wells. [*Col. Entry Bk., Vol. LXIV., pp.* 135, 136.]

Aug. 17. **1,408.** Lords of Trade and Plantations to Lord Howard of Effingham. Forwarding report of the Commissioners of Customs of 7 July (*see No.* 1,337). [*Col. Entry Bk., Vol. LXXXIII., p.* 144.]

Aug. 18. **1,409.** Major Baxter's receipt for the Great Seal of New York. *Signed,* Ger. Baxter. ½ *p.* [*Col. Papers, Vol. LXI., No.* 19, *and Col. Entry Bk., Vol. LXVIII., pp.* 166, 167.]

Aug. 18. **1,410.** Major Baxter's receipt for papers delivered to him by William Blathwayt. *Signed,* Ger. Baxter. ½ *p.* [*Col. Papers, Vol. LXI., No.* 20, *and Col. Entry Bk., Vol. LXVIII., pp.* 167, 168.]

Aug. 21. Bath. **1,411.** Commission to Sir Robert Holmes to command a squadron to be sent to the West Indies for suppression of pirates, with power to pardon those who surrender within twelve months and give security for good behaviour. *Countersigned,* Sunderland. [*Col. Entry Bks., Vol. XXII., p.* 130, *and Vol. C., pp.* 9, 10.]

Aug. 24. **1,412.** Minutes of Council of New England. Francis Nicholson sworn of the Council. Order for publication of the declaration of indulgence and proclamation against pirates. Order for restoration of his goods to John Danson, wrongly suspected of piracy. Resolved, that commissions shall be given to vessels going to fish at the wreck off Hispaniola. [*Col. Entry Bk., Vol. LXIV., pp.* 136, 137.]

1687.
Aug. 31.
Boston.
1,413. Governor Sir Edmund Andros to the Earl of Sunderland. Last week Captain Francis Nicholson was sworn of the Council as was ordered, and on the 25th inst. the proclamation against pirates and the Declaration of Indulgence was published. Three men have lately been apprehended here for piracy, but on trial have been acquitted. I have lately received letters from Governor Dongan advising me of an incursion of the French upon the Indians on this side the lake. This is of great import to all the neighbouring Colonies. I hear that Mons. Miniell is lately come from France to be Governor of Nova Scotia or Acadia in place of Mons. Perrot, who is going home, that the frigate which brought him is to stay on the coast, and that a fort is to be erected at Port Royal. Some fortification is much needed here, that in Castle Island being very small, and unfitted to lodge a garrison. I therefore intend to make some lodgments in a convenient place at the south end of the town, called Fort Hill, very proper to command the town and its approaches by land and sea. I have sent home the accounts of the Colony, with some suggestions as to the best means of increasing the revenue, if the King will sanction them. I have also sent a report on Richard Wharton's claim to lands at Pojebscot and on the claims to the King's province. *Signed*, E. Andros. 1½ *pp.* [*Col. Papers, Vol. LXI., No.* 20A.]

Aug. 31. **1,414.** Governor Sir E. Andros to Lords of Trade and Plantations. I send duplicates of various documents, and a statement of the accounts, with some suggestions for increasing the revenue. The incidental charge will be large at first, for it is absolutely necessary to build new fortifications and to repair the old, and I am making a large new battery. *Recapitulates substance of preceding letter. Signed,* E. Andros. 1 *p. Endorsed.* Recd. 10. Read 31 October 87. *Enclosed,*

1,414. I. Accounts relating to the Admiralty of New England for the year 1686. Debtor, £278 1*s.* 2*d.*; creditor, £288 8*s.* 2*d.* *Signed,* J. Dudley. 2 *pp. Endorsed.* Recd. 10, Read 31 October.

1,414. II. The state of the King's revenue in New England. Excise is farmed at £450 a year. Customs amounted to £1,346. The amount disposed of by the President and Council is £1,042. Next year's revenue may be estimated at £1,380, which will be short of the expenditure. It is recommended, therefore, to equalise the impost on all wines and raise it to 30*s.* a pipe; to raise the excise on wines from 50*s.* a pipe to 1*s.* a gallon, on spirits from 8*d.* to 1*s.* a gallon, and on beer from 1*s.* 3*d.* to 2*s.* 6*d.* a barrel; and that the King, in lieu of the penny rate, may authorise the Council to levy the sum required to make good deficiencies when the above sources are exhausted, as it thinks best. Estimate of expenditure, incomplete, several items not being filled up. *The whole,* 3 *pp. Endorsed.* Recd. 10 October. Read 31 October 1687. *A perfect transcript of the accounts is entered in Col. Entry Bk., Vol. LXI., pp.* 360-362.

1687.

1,414. III. Account of stores of war at Pemaquid and Casco Bay. 1 *p.* *Endorsed.* March 28, 1687. Read 10 October 1687.

1,414. IV. Report on Mr. Richard Wharton's claim to lands at Pojebscot. The deeds which he has submitted to me are four, in which he claims lands (1) as the heir of Major Shapleigh; but it does not appear that Shapleigh ever had any estate in the lands referred to; (2 and 3) in virtue of purchase of pretended grants of the Council of Plymouth, which I do not think valid; (4) from a grant from certain Indians, which, not being obtained by particular licence, is invalid. There are many other such claims as these of Wharton's to vast tracts of land, which are a great hindrance to settlement. *Signed,* E. Andros, Boston, August 24, 1687. 2½ *large sheets. Endorsed.* Read 31 October 87. *Entered in Col. Entry Bk., Vol. LXII., pp.* 10-12.

1,414. V. Report of Sir Edmund Andros on the claims to the Narragansett Country. Pursuant to instructions I ordered all claimants to bring in their claims on 22 February last. Some based them on votes of the Assembly of Massachusetts, Connecticut based hers on conquest, others pretended purchases from the Indians, and others put forward a law of Rhode Island; while again there are certain people who call themselves proprietors of the country, whose agents Richard Wharton, Elisha Hutchinson, and John Saffin declare themselves to be. These last base their claims on: (1.) A grant of 1659 by Coginaquon, Sachem of the Narragansett Country, to John Winthrop and others. (2.) A second and further grant by the same Sachem. (3.) A third grant of 1660 from other sachems, on condition of release from a debt of six hundred fathoms of wampumpeage. I find that this third grant was extorted by a troop of horse from Massachusetts, and that the debt was fictitious. On the lands granted by the first deed there is no settlement or improvement. On the lands mentioned in the second deed there have been both settlement and improvement. I find that, as regards the King's title, the country was never granted nor said to be granted since the general grant of all these northern parts by King James the First, until inserted in 14 Car. II. in the Charter granted to Connecticut. But the country was shortly after granted to Rhode Island, and the grant to Connecticut cancelled. In 1664 the claims of the pretended proprietors were disallowed, and although I heard the claims of their agents again in May, they could produce no new title. I gave Richard Wharton, however, about seventeen hundred acres, which he had improved, reserving a small quit rent, and others have now applied for confirmation of their lands which was before barred by the pretensions of the proprietors, as well as for fresh grants. If the King will determine their pretensions

1687.

the land can be patented and settled, and all will be quiet. *Signed,* E. Andros. 4 *large sheets. Endorsed.* Read 31 October 87. *Entered in Col. Entry Bk., Vol. LXII., pp.* 3-8.

1,414. VI. Grant by the Sachem Coginaquon of land in the Narragansett Country. 7 June 1659. *Copy.* 1 *p.*

1,414. VII. Second grant by the same. *Copy.* 1 *p.*

1,414. VIII. Patent of 1712 acres of land to Richard Wharton. 30 June 1687. *Copy.* 3½ *pp. Endorsed.* Recd. 10 October 87. [*Col. Papers, Vol. LXI., Nos.* 21, 21I.-VIII., *and (covering letter only), Col. Entry Bk., Vol. LXI., pp.* 358, 359.]

Aug. 31. **1,415.** Minutes of Council of New England. John Greene's claim of travelling expenses referred to the Council of Rhode Island for examination. Order for payment of the mill-rents granted to Edward Tyng, the treasurer to give particulars thereof. Order for payment of Isaac Addington for his work in revising the laws. Shadrach Wilbore bound over to answer for a seditious writing sent from Taunton to the treasurer in answer to his warrant for collection of the rate. The constables of the town also to answer for their neglect of duty. [*Col. Entry Bk., Vol. LXIV., pp.* 138, 139.]

Aug. 31.
Sept. 1.
New York.
1,416. Examination of Kakariell, a Christian Maqua, brought a prisoner from Canada and Albany. In reply to questions the Indian said that he was ashamed to have left his own country and fought with the French against his own friends, but that he was forced to it, and that all of them would return as soon as a priest came to Saraghtoga. Eight families were just starting when the French began the war against the Senecas, and forced them to go with them. There were about a hundred and forty Christian Indians in all. The whole army met at Montreal and started in a hundred and forty boats, ten men to a boat, and a great many canoes. The French were in front and rear, and the Indians in the middle. Three days took them from Montreal to Cadaraqui and on along the lake to Orondoquot, the Senecas' landing-place. Then the French made a fort and rested three days. Before they landed they captured a British trader on his way to Ottawa. On the second day four Senecas appeared, and the third day after landing the army marched against the Senecas' castles. Next morning, about eight o'clock, several Senecas were seen, and the Governor put all the Indians in the front, mistrusting that they would join the Senecas. Then the Senecas appeared and fell upon the enemy, and had the best of it, making the Indians fly. They broke into the French just where the Governor was, but were forced to retreat. Eight French were killed and many wounded, a Jesuit among them. Advancing next day to the Senecas' castles, they were found to have been burnt. The Governor then spent a few days destroying corn and houses wherever he found them, and so returned to Orondoquot. Two boatloads of Christian Indians escaped on the way from there to Onigora [*Niagara*]. The French have made a great fort at the latter place, and have put great guns and four hundred Frenchmen into it. Five ships with soldiers

1687.

were said to have arrived at Quebec. Last spring a great man with a thousand soldiers arrived from France, and went into the Senecas' country. The Senecas lost sixteen killed in the last action.

Examination of Adandidagliva, a Christian Indian brought in prisoner. I was forced to stay with the French and fight against my own people. The force met at Montreal, the number of French being 2,000 and of the Indians 1,000. *Here follows an account of the march and action, differing little from that abstracted above.* The French made war on the Senecas because they had plundered Frenchmen and done other mischief. The Maquas in Canada were aiming to return to their own people. I and others were sent by the priest to see whether the Maquas, Oneidas, and Onandagas were united with the Senecas, and the priest said that if they remained neutral their prisoners should be sent home. We did not return to the Maquas because of religion and because we cannot be quiet from disturbance of drunken Indians. Were there a priest at Saraghtoga many would return, having long waited and hoped for it. Sworn before Stephanus Cortlandt. *The whole,* 18½ *pp. Printed in New York Documents, Vol. III., pp.* 431-436. [*Col. Papers, Vol. LXI., No.* 22.]

[Aug.] **1,417.** Lords Proprietors of Carolina to Lords of Trade and Plantations. We have considered Mr. Muschamp's complaint of illegal trading at Carolina and conceive the justification thereof to be the discourse of ignorant and loose people only, and not of any concerned in the Government (*see No.* 1,204). We have constantly given the Governor and Council strict orders to observe the Acts of Trade and Navigation, copies of which we sent out to the Colony many years ago. Our letter to the Governor and Council of 10 September 1685 reminded them again of their duty (see copy annexed), which letter we ordered to be filed in Carolina. As soon as we heard of Mr. Muschamp's appointment as collector in Carolina, we instructed the Governor to help him, so that we doubt not that the ship seized by Mr. Muschamp would have been condemned had the proof against her been sufficient. We have never claimed nor pretended to any exemption from the Acts of Trade in virtue of our Charter, nor do we know what encouragement ships from Ireland and Scotland can have to trade to Southern Carolina, where Mr. Muschamp made the seizure, the inhabitants having hardly overcome the want of victuals yet, and produced no commodities fit for European markets except a few skins purchased from the Indians and a little cedar to fill up the ship that takes the skins to London, the whole not amounting in value to £2,000 yearly. London, too, is the best market for it. The chief subsistence of the first settlers is hogs and cattle, which they sell to the newcomers and so purchase clothes and tools. The ships that carry passengers thither call at the other plantations for freight to England. The harbours of that part of Carolina, which has been longer settled, are so barred by shifting sands as to be dangerous to shipping, wherefore few ships trade down thither, but such small trade as the people have is carried on in shallops from Virginia and New England. The ship seized

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by Mr. Muschamp appears to have been trading at the Leeward Islands, and to have come to Carolina to repair, it not being the right reason for loading sugar. *Signed*, Craven. *Copy.* 2 *pp.* *Annexed*,

1,417. I. Copies of letters from the Proprietors of Carolina of 10 September 1685 and 5 March 1686 (*see No.* 364). 2 *pp.* [*Col. Papers, Vol. LXI., Nos.* 23, 23I., *and (without enclosure), Col. Entry Bks., Vol. XXII., p.* 120, *and Vol. C., pp.* 5-7.]

[August.] **1,418.** Memorial of the French Commissioners on the subject of Hudson's Bay. Since the two Companies cannot agree we suggest that, to come to an agreement: (1.) The French Company might restore the three forts taken from the English last year, and the English might restore the fort taken from the French at Nelson in 1683. (2.) That boundaries be laid down to prevent encroachments of the two companies on each other's trade and territory, which lead to quarrels. The Hudson's Bay Company has never drawn so good a trade as when it occupied the three forts above named only, since the distance to be traversed by the Indians is much less than in the case of Port Nelson. This proposal seems the best that can be made, since the two Kings are resolved neither to yield to the other exclusive possession of the bay. If the Hudson's Bay Company has any alternative proposal to make, on this same basis, two Commissioners will be glad to examine it. *French.* [*Col. Entry Bk., Vol. XXV., pp.* 69-72.]

August. **1,419.** Answer of the Hudson's Bay Company to the foregoing proposal. Having made out the King's right and title to Hudson's Bay, Port Nelson included, we are surprised at this offer of what is our own in exchange for another part of our own, to which the French have no right. Having made out our right and title, we expect justice and the restoration of both these places. The assertion that both King's are resolved not to part with the entire property of the Bay seems to be an effort of the French to gain by treaty what they cannot gain by right, but we hope for better justice from the French King. We therefore reject the proposal, and must represent to his Majesty that if the French be suffered to be sharers in Hudson's Bay, the Company must cease to exist. [*Col. Entry Bk., Vol. XXV., pp.* 71-74.]

Sept. 1. **1,420.** Journal of Council and Assembly of Nevis. The Governor and Council, on the motion of the Assembly, agreed that measures should be taken to prevent the engrossing of provisions by merchants. Order for an Act to be prepared forbidding the sale of provisions for retail until eight days after importation, under pain of a fine of 50,000 lbs. of sugar. A joint committee appointed to draw the bill. [*Col. Entry Bk., Vol. XLVIII., pp.* 159-161 *and p.* 219.]

Sept. 2. Albany. **1,421.** Peter Schuyler to Governor Dongan. Anthony Lespinard and Jean Rosie have arrived from Canada with letters for you. I have, therefore, despatched Lespinard with two Indians, his companions being sick. He has gathered the following news. (1.) He heard from Father Valiant that the French will not release our people unless you promise not to supply the Senecas with arms and ammunition. (2.) The fathers know that the Senecas are ready to exchange prisoners. (3.) The French think that now they have a great advantage of you and the Indians, having so many English and Indian prisoners. (4.) He heard that the Christian Indians were disinclined to engage in the war if the Maquas, Oneidas, and Onandagas were concerned, so all means were employed to keep these three nations quiet, and five Christian Onandagas had been sent with belts and presents to persuade them not to fight. (5.) The French only wanted to fight the Senecas, and would make peace with them if they would surrender ten or twelve of the best Sachems' children as hostages. (6.) The Governor of Canada ordered all the bushlopers at Ottawa to meet him at Cadaraqui. About three hundred came, leaving their beavers at the Jesuit's house at Dionondade, and so marched with the Governor against the Senecas. Meanwhile an accidental fire destroyed the house and all the beaver skins, twenty thousand of them. The bushlopers were like to go distracted when they heard it. (7.) It was proclaimed that as soon as war with the Senecas was over the Ottawa trade should be passed out, which displeased the bushlopers. (8.) Many of the bushlopers would have come here, being unwilling to fight the Senecas, but dared not for fear of Indians in the way. (9.) It was believed that the Senecas would go to Canada and sue for peace, their corn being destroyed. If the Senecas were supplied by Albany the French would come in the winter and plunder it, having fifteen hundred pair of snow shoes ready, and if they found that we gave the Senecas the least assistance, would not spare the child in the cradle. (10.) He heard a merchant say that if we supplied the Senecas they would transport our prisoners all over the world, the English having kept Mons. Pere eighteen months in close prison in London. (11.) The French acknowledge that the Senecas fought well, and that had they been more numerous the fight would have gone ill for themselves. The new men were not used to hear the Senecas whoop and halloo, and all their officers fell flat on the ground. The officers jeered at each other about it at Montreal. All this Lespinard got from Rosie, an honest man though a Frenchman. They were kept five weeks in arrest after they reached Canada, it being pretended that their passes were false. He begs for some consideration for his pains and loss of time. We have taken down his examination, and send it herewith (*see No.* 1,435). We have news that the Indians have taken eight men, one woman, and eight scalps, and killed over twenty men at the place where the barks are. The selling of strong liquor to the Indians hinders their enterprise much. They stay drinking continually at Senectady. You would do well to prohibit it for two or three months. *Signed*, Pr. Schuyler. *2 pp. Printed in New York Documents III.*, 478, 479. [*Col. Papers, Vol. LXI., No.* 24.]

Sept. 2. Albany. **1,422.** Robert Livingston to Governor Dongan. Kemar came here last night, having left his prisoners at his home at Senectady, being too weary to reach this. They are six, all women; the seventh, a boy, is at Cayouge. They shall all be despatched when

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they arrive, with the Sachems that are here. Kemar rode forward to say that two hundred and eighty Indians had been at Cadaraqui, burned the houses and barn before the fort, and captured four men and one woman. They saw and spoke with Father Lamberville, who came out to them with a white flag and asked who they were. Their leader, an Onandaga, replied, all Onandagas (though really they were of all Five Nations) and that they were come to take revenge for the injury the French had done the Senecas. They asked the father what his business was there. He said he was kept by the Governor of Canada to see if any of the Indians would seek for peace, excused himself, exclaimed against the Governor of Canada, and said that he and all of his profession had done their best to dissuade him from the war, but in vain. They told the father in derision that they were come to see if the French would not seek for peace, pointing to the five prisoners they had taken. When near Cadaraqui twelve Onandagas resolved to go down to the rifts and try their fortune there. Eighteen leagues below Cadaraqui they saw two barques and some canoes unloading provisions. Other canoes came up, but as they could not all unload together, some men came ashore, while the rest were unloading. The Onandagas gave them a volley as soon as they landed, killed eight and took their scalps, knocked several on the head whose scalps they could not get, drove others into the stream where they were carried away, and took nine prisoners. They believe they killed at least twenty, and not so much as one of themselves was even wounded. They have divided the prisoners, the Maquas taking one, the other four nations two apiece. This success has encouraged three hundred Indians to go out and lie in wait for others. I hope that they will not kill the prisoners. This letter goes by Lespinard. If you do not pay the Indians that are with him please tell me what I shall give them. *Signed,* Robt. Livingston. The Maqua who went with our people to Ottawa last fall was in the French Army, and deserted to the Senecas, and was one of the eight who brought Kemar this news. He says he has lost all, and begs for a gun and ammunition, which I shall give him. I have given the Indians two fathoms of duffles, as they had no clothes. 3 *pp. Endorsed. Printed in New York Documents, Vol. III., pp.* 480, 481. [*Col. Papers, Vol. LXI., No.* 25.]

Sept. 3. **1,423.** Minutes of Council of New England. Joseph Dudley, William Stoughton, Robert Mason, John Usher and Edward Randolph appointed as a committee to draw up and settle the fees of Court, etc. [*Col. Entry Bk., Vol. LXIV., p.* 140.]

Sept. 5. Albany. **1,424.** Robert Livingston to Governor Dongan. I send herewith the six Virginia prisoners whom the Oneidas have delivered to me. I have told them to get the boy who they say is given to the Senecas. See the propositions enclosed. The Sachems of the Onandagas and Senecas are not come as you appointed, there being daily rumours that the French are coming to attack them. Here goes the Englishman for Cayouge, two for the Oneidas, two for the Maquas since their Sachems are not

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come, one for the Skachkook Indians, and two for the Mahekanders. We hear from Oneida that the Indians have taken more French prisoners. I am afraid that they will burn them, so exasperated are they, though all means shall be used to prevent it. The Mayor himself goes westward to-morrow to hinder their cruelty, for we hear that they have cut off a finger from one of the Frenchmen. I hope the Maquas will bring their prisoners here. The seventy Maquas are still doing nothing at Senectady, refusing to budge till they know what you will do with Jannitie. They would be satisfied if he were confined, but would be displeased if he were worse used. To-morrow the Court of Sessions sits, and the fortification of the town will be discussed. We want a skilled person to direct and order business. John Rosie forgot to say when he was examined that the French in Canada seem to be much incensed over a picture which they found in the Senecas country, made by us as they say, viz., a man on horseback; the horse with an axe in his mouth, and under his belly abundance of ropes, two Indians smoking together and an eagle between them. The man on horseback is Arnout, bidding the Senecas kill the French. The two Indians are the Senecas and Cayouges united to war with the French; the eagle is the Onandagas flying to and fro, and uncertain which to join. *Signed,* Robt. Livingston. 2½ *pp.* *Endorsed. Printed in New York Documents III.*, 481. *Annexed,*

1,424. I. Propositions of the Oneidas' Sachems to the Mayor and Aldermen of Albany, 3 September 1687. Present: P. Schuyler, Mayor; D. Wessels, Recorder; Adr. Gerritse, Lovinus van thaek, Hend. Cuyler, Alb. Rykman, aldermen. The Sachems announce that they have delivered six prisoners, taken by mistake a hundred miles from Virginia, to Robert Livingston. The Mayor answered: You do well to restore these prisoners, but if you had kept your covenant as honest men you would have been spared this trouble. It is false that you took them a hundred miles from Virginia. Lord Effingham has told us that you took them from the Wayncake Indian town, where you made an attack on their fort, and robbed and plundered several Englishmen's houses, threw the feathers out of the beds, and carried away the tickings. Here is witness against you (shewing them a pair of women's red stockings and a child's cap that they had brought with them). We assure you that but for the Governor, the people of Virginia would have made war on you long ago, which would have been a hundred times worse than the French; and you may be sure that unless you forbear, the Governor will be as good as his word, will dig up the axes, give one to the Governor of Virginia, and join with him against you. Then you will pay once for all. So remember what the Governor said, and make haste to send the Indian boy whom you stole like a prisoner from the friends that are in covenant with you in Virginia. If

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you want to shew your courage, do so against the French your enemies, not against your friends.

The Indians replied that the boy was delivered to the general of the Senecas, but that they would send for him, and they promised not to go near the English plantations for the future. *Signed,* Robt. Livingston. 2½ *pp. Endorsed.* [*Col. Papers, Vol. LXI., Nos.* 26, 26I.]

Sept. 5. **1,425.** Journal of Council and Assembly of Nevis. Act against engrossing of provisions passed. Petition from the planters of the South West division praying that masters and owners may be made liable for damage done by servants and slaves trespassing on any plantation without leave. [*Col. Entry Bk., Vol. XLVIII., pp.* 161, 162, *and p.* 218.]

Sept. 6. **1,426.** Minutes of Council of Barbados. Orders for sundry payments on account of fortifications, negroes executed, and expenses of revision of the laws. A committee appointed to superintend the erection of a mole in Carlisle Bay. John Farmer sworn of the Council, also Mr. Rowland Bulkeley. [*Col. Entry Bk., Vol. XII., pp.* 57-61.]

Sept. 7. Albany. **1,427.** Peter Schuyler to Governor Dongan. The river Indians who went with our people to Ottawa in the spring are returned from Canada, and we have taken the opportunity to examine them. They say, among other things, that the Twichtwicks, Ottawas and other distant nations were very unwilling to proceed in the war against the Senecas, and went home as soon as the fight was over with a resolve not to help the French. It is therefore very likely that they will listen to a peace with the Senecas as you intended. When the river Indians came to Montreal, in company with the Onnagonque Indians, who had been in the engagement, they received a great deal of kindness from them. They declared their dislike of the French war against the Senecas, and of their abuse of our people. They told us, too, that it would be no very difficult matter to persuade them to come here, there being eighty of them in a fort near Quebec, and thirty of the Onnagonques near Montreal. They put our Indians on the way hither, giving them provisions enough to carry them to the Pennekook Indians, where they wanted for nothing. They gave us such assurance of the Indians' inclination to come hither that we were at once resolved to send some of our Indians with belts of wampum to that castle of the Pennekooks, to be forwarded thence to the Onnagonques at Canada, but we thought it prudent first to consult your Excellency, and have sent down Mr. Marte Gerritse express with three of the Indians, to lay the whole state of affairs before you, ordering the Indians meanwhile to make provision against they come up. The river Indians while in Canada lodged in the Maquas' castle, and found some of them more inclined to come here than stay there; but we refer you to the Indians themselves for this. The reports that reach us daily have set us thinking about our own defence. We do not know what the French design, and this place must certainly be

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the general rendezvous of the country, so we beg your orders and advice, and that the country may be ordered to assist us. We have consulted the justices as to the farmers bringing in provisions before winter, which they approve of, and we beg for an order from you forbidding any man to go hence, for we find that some would willingly absent themselves. We doubt not that you will not forget our poor prisoners in Canada. *Signed,* Pieter Schuyler. 1½ *pp. Endorsed. Printed in New York Documents, Vol. III.,* p. 482. *Annexed,*

1,427. I. Examination of three river Indians who went with Macgregory, were taken prisoners and escaped from Montreal. We were taken prisoners by from two to three hundred French, besides Indians. We were asked where we were going, and answered that we were going to fetch beaver. The French said that we had no business in their lands, but should go to the war with them, and in spite of our protests forced us to go, threatening to kill us. Two Christians and four Indians were then put aboard a barque, two left at the landing, and the rest carried along with the army. The Indians marched in front and the French in rear, till at a small creek the Senecas opened fire, and the French fired back. The French would have had the Ottawas and other distant Indians help them to make a fort, but they refused, saying that the French had done them injury by taking prisoners the men who had come to trade with them; and with that they went away and left the French. The French, after building a fort at Onygra, left four hundred men there, returned to Montreal. The Christian prisoners there encouraged us, saying that we should soon be set at liberty, but we were separated from them and not allowed to speak to them, and the Christians were sent to Quebec. We were told that we must stay at Montreal, but the Onangonques asked to take us with them, and then bade us to escape. They told us they did not like the war, and would go no further with it; and so we escaped as they had bidden us. 4½ *pp.* [*Col. Papers, Vol. LXI., Nos.* 27, 27I.]

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1,428. Information of Nanning Harmesen and others. We left Albany last fall under command of Captain Roseboom with the Governor's pass to trade with the Ottawa Indians. We had reached the Ottawas' Lake [Huron] when we were assaulted by some hundred and twenty French and Indians, who bade us surrender on pain of death. We were in all twenty-nine Christians, three Mohoukes and two Mohicander Indians. The French took all our goods, which were worth eight thousand beavers. The Ottawas were at first much incensed against us, being set on by the French, but when they heard that we came to trade and to propose a peace with the Senecas, and had brought back five Ottawa prisoners, they shewed us great kindness. We were carried away to a place called Oniagra. The French on the way thither met Captain Macgregory's party of twenty-nine Christians,

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six Indians and eight prisoners, and took and plundered them likewise. From Oniagra we were sent to Cadaraqui. One of the party, however, was shot by order of the Governor, because he was a Frenchman born. At Cadaraqui we were very barbarously treated, being employed in drawing the bark and materials for the fort. We were then sent on to Montreal, where we were left with greater liberty until the arrival of Anthony Lespinard, when we were again put under close confinement and sent to Quebec; here all the prisoners were let out to farmers to work for their victuals. We heard several times that the Governor would not discharge his prisoners unless Governor Dongan ceased to supply the Senecas with ammunition, and that the Governor had orders from his master to prosecute the war against the Senecas vigorously, and not cease till they were utterly destroyed. Four of us escaped from Quebec and came to Albany in five days, all the way by water excepting one carrying place of about one hundred and fifty paces. We heard Macgregory say that Espinard had told the French that Governor Dongan could not hinder the Indians from being supplied with powder, for the people of Albany would supply it despite all prohibitions. *Signed*, Dyrick van der Heyden, Nanning Harmesen, Fredryk Barmythan. Sworn before N. Bayard, Mayor. We further declare that on our way to Albany we met Kryn, the Sachem of the French Maquas, and seven more, who told us that he had gone to persuade the Maquas of Albany not to fight the French but to come and live in Canada, or otherwise he would come and live at Albany if the Governor would send priests to the castles, as he had long promised but not performed. *Certified Copy.* 10 *pp. Printed in New York Documents III., pp.* 436-438. [*Col. Papers, Vol. LXI., No.* 28.]

Sept. 8. New York. **1,429.** Governor Dongan to the Earl of Sunderland. The French have advanced on this side of the lake to war with the Senecas. I send the bearer, Judge Palmer, to inform the King of this unprovoked invasion. His instructions contain an account of their proceedings. The Senecas asked me for men, but I put them off with supplies of arms and ammunition and by making such proposals as I thought would please them, being unwilling actually to engage the French without orders. Speaking impartially, the French are very unjust to invade our territory after the offers that I made to them. They will pretend that our Indians have wronged them, but it is not so. The beaver trade is the sole end of their designs, whatever they say, which is only hindered by the adhesion of the Five Nations to us. These Five Nations are very brave, the awe and dread of all other Indians in America, and a better protection to us than the same number of Christians. The claim of the French to any Indians on this side of the lake is no better than they can make to Japan, that some of their priests have resided among them. Whether it be peace or war it will be very necessary to send out some men and to build the forts that I have mentioned in my instructions to Judge Palmer, for the French are encroaching as fast as they can, and a little thing now may prevent great expense of blood

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and money hereafter. There are people enough in Ireland, without pretence to estates there and of no advantage to the country, who would live here very happily. If the King will employ my nephew, he will bring over as many as the King will find it convenient to send, who will be no expense to his Majesty after they are landed, provided Connecticut and the Jerseys are added to this Government. To add Connecticut to Boston is a most unproportionable thing, for they have a hundred times more than we in wealth, land and population, and a great advantage by the portion of this Government which was given to them. I hope that if the French pursue this war, the King will order all the Colonies to help each other. Mr. Graham and Mr. Cortlandt will send accounts of the revenue, though it is much lessened by the French diversion of the beaver trade. Still, I doubt not that it will be better this year than it ever was in Mr. Santen's time. I wish Mr. Graham could be made collector and Mr. Cortlandt auditor of the King's revenue. I know them both to be just men, who would for no consideration betray their trust. The Attorney-General has requested me to ask for a salary for his place. He has done and is doing good service. In Mr. Santen's time revenue enough never went through my hands to pay the judges and officers. The garrison was upwards of a year on my hands before any revenue came in. The forts were in sad want of repair. If the money that Mr. Santen pretended was due had come to my hands, the King's debts and my own had not been so great. I see no way of retrieving ourselves or subsisting for the future without annexation of some of the other Colonies.

The King not long since ordered that we should have some arms and ammunition. I received only fifty barrels of powder and fifty arms; but to build the new forts we must have spades, pickaxes, and hatchets, and ten or twelve thousand weight of nails. We have grenade shells enough, but nobody understands how to use them. I am surprised to hear that the French have hanged one of our people, a Frenchman, who went with Gregory and Roseboom, and have taken prisoners several of our Indians, with whom they pretend to be at peace. I send copies of some of my letters to Mons. de la Barre and Mons. Denonville, to shew you what offers I have made them, and how I have tried to keep on good terms with them. I also send the propositions I lately made to the Indians, their answers, and a relation of the late engagement with the French. Since I began this letter the messenger sent with the articles of peace to Canada is returned, bringing a very mean answer to mine, in insolent and provoking language. I send a copy of it and of my answer. Pray send me orders what I am to do in this unjust and unprovoked invasion of our territory. Denonville now tries to lay the blame on me, but without reason. I have done my best to secure the beaver trade and the Five Nations, without whom the King's revenue and the King's subjects are alike in danger. Judge Palmer will be asking for a maintenance for himself and the other judge. Pray refer the question to me, for I know how much salary they ought to have. *Signed*, Tho. Dongan. 5

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pp. Endorsed. Read to the King 30 Oct. 87. *Printed in New York Documents III.*, 428-430. [*Col. Papers, Vol. LXI., No.* 29, *and Col. Entry Bk., Vol. LXIX., pp.* 150-156.] *Annexed,*

1,429. I. Governor Denonville to Governor Dongan. Villemarie, Montreal, 21 August 1687. Your letters to me on my arrival encouraged me to think that we should live on the best understanding possible, but events have shown that your intentions do not correspond with your fair words. You remember that in that letter you asked me that all disputes should be referred to the Kings, our masters; your subsequent letters prove to me that you received my letter of compliance with your request. Yet while you give me these civilities, you give orders and signed passports to send trading canoes to Michillimaquinac, where no Englishman has ever set foot, and where the French have been established more than sixty years. I say nothing of the proceedings or intrigues of your people by your orders in exciting all the savage tribes to revolt against us, nor of your efforts to make the Iroquois declare war against us. Your traders from Albany have published them widely enough, and your presents of arms and ammunition made for this purpose last year put an end to all doubt on the matter, even if I had no other proof. You might have behaved better towards the subjects of a King whose bread you ate for long, and who treated you well enough to merit a better return. What pains have you not taken to prevent the Senecas from restoring to me the Ottawa and Huron prisoners which they took treacherously last year. What goings to and fro through you and your merchants to hinder the restoration of them. I confess that I did not expect such proceedings on your part. They will not be approved by the King of England, nor will he be pleased to hear that when I summon the Iroquois to make satisfaction for their violence, you forbid them with threats to obey. Three years ago you made use of them for war against the French. You took great pains to provide them with arms and ammunition beyond what they asked of you, and more than that you promised them a reinforcement of men against the French. Lately you have pushed your ill-will still further by sending two parties to Michillimaquinac to drive us from thence and take possession, contrary to your promise to take no steps until the matter had been settled by our masters. Finally, the Iroquois, besides refusing to meet me, have committed robbery and plunder upon us, and insult our missionaries daily, not only those who are actually among them, but also those whom they have driven away after twenty years' residence in their villages. You have had little respect for the Treaty of Neutrality. Pray read it attentively, and you will see how anxious are the two Kings to preserve friendly relations between their subjects, meaning that the enemies of your nation shall be the enemies of both. Were you not more influenced by the avarice of your traders than by the desire to execute your master's orders, I should doubtless have received before now some proof of your wish to fulfil this treaty, whereby you are forbidden to offer asylum or protection to tribes hostile to the French, or to provide them with arms. Yet I know that since the treaty was published both these things have been done, and by your orders. I have reason indeed to complain of you and beware of you.

I received your letter of 11 June *(see next abstract)*, on my return from the campaign against the Senecas. You send me a copy of the Treaty of Neutrality. I send you one likewise; all that remains to be done is to execute it punctually. To that end you must cease to protect and receive the enemies of this Colony, and keep your word of last year that all disputes over boundaries shall be referred to our masters. You must also abstain from all expeditions against our settlements, most of which were in existence long before Albany, and long before Manhattan had heard of Iroquois and Ottawas. When you first took up your government, were not the French missionaries among all the Five Nations of the Iroquois? The heretic traders have caused nearly all of them to be expelled, which is not honourable to your government. Only three years ago most of them were obliged to go; only the two fathers Lamberville endured insults and ill-treatment caused by your traders. Is it not true that your sole endeavour was to make them abandon their mission? You remember that last year you made it your official duty to advise them to withdraw on the pretext that I was about to declare war against the Onandagas. Why did you expect war, if not because you had forbidden them to restore the prisoners which I demanded of them, and they surrendered to me? You foresaw the war, by the war which you have urged the Senecas to wage against me. Events are easily foreseen in this way.

I am surprised at the passage in your letter wherein you say that the King of England has a juster claim than the King of France to the posts which we occupy. It is sufficient refutation of your mischievous reasoning to say that you are ill-read in the maps of the country, and even worse in the points of the compass. I must ask you how long have we held these forts, and were they discovered by you or by us, and who holds possession of them now? Then read the 5th article of the Treaty of Neutrality, and judge if you had any right to send an armed force against Michillimaquinac. I send you copy of your letter with each article answered, so need say no more. Finally, let me tell you that I am keeping your officer, Mr. Gregory, and all the members of your pretended expedition, having been arrested

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in French parts. My first idea was to send them back, but knowing that you gave your help and protection to the Iroquois, and provided them with arms and ammunition contrary to the Treaty of Neutrality, I have resolved to keep them all until you execute that treaty. I cannot but treat you as an enemy since you uphold my enemies. I can only add that I shall regulate my conduct by your own, and that the responsibility for the execution of the treaty shall rest with you. You pretend that the Iroquois are your subjects: I do not agree, but our masters shall decide. But be they subjects or not, as soon as they are become our enemies they should also be yours; and if you help them I must look upon you as an enemy, and use the right to make prisoners feel what you would reserve for us. I await your assurance that you do not employ the Iroquois to make war upon us. Let us obey our masters' orders and live on good terms. I am ready to do so, but I am not a man who allows tricks to be played on me. I return you Anthony Lespinard, your bearer, and await your resolutions as to the prisoners. *Signed*, Le M. de Denonville. *French.* 6 *pp.* *Endorsed.* Read to his Majesty, 30 Octob. 1687. *Translated in New York Documents III.*, 466-468.

1,429. II. Governor de Denonville's answer to Governor Dongan's letter of 20 June. 1. I shall punctually observe the Treaty of Neutrality; if you do the same we shall work together well. But you go the wrong way when you put forward claims which we decided were to be settled by our masters. You are wrong to call the Iroquois your Indians. You must leave things as you found them when you came. The Five Nations have been ours for twenty years in virtue of various reasons, notably the residence of our missionaries among them in spite of the discouragement of your traders. 2. You have no right to wage war for the purpose of extending your boundaries and claim free trade with the Indians till those boundaries shall be settled. 3. You are evidently very ill-informed as to the situation of the distant Indians. 4. As to the removal of Indians to Canada, you ought to know that our missionaries have laboured among them more than eighty years. I am surprised that you do not know that when New York was Dutch and heretic our missionaries found protection there. Is it possible that now, when the country is under a Catholic King, you are scandalised at the labours of these missionaries? I have more reason to be astonished that you should have sent Christians to debauch our Christian Indians. 5. I willingly believe that you have not given the Iroquois orders to plunder our traders; but you ought to help me to satisfaction for their outrages, if you have any regard for our friendly relations. As to the French in the woods, I am glad that you do not think they

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should be plundered, and that you have recalled your orders. But you do not observe your promise as regards the arrest of French without passes, for you have a number of our rogues and vagabonds with you whom you entertain. 6. I should have thought you ought to have awaited the decision of our masters as to boundaries before sending for English priests for the Iroquois. It would have been more honourable for you to have supported the present missionaries. You know that if these missionaries go, the poor people will be left long without instruction. You do not understand the zeal of our missionaries, when you ask them to be content with the Christian Indians in Canada. 7. I wish you would allow us to be on such terms as to visit each other. I would come to our frontier, which is close to Albany. *Signed,* Le M. de Denonville. *Arranged in parallel columns of Governor Dongan's letter and Denonville's reply. French.* 5 *pp. Endorsed. Printed in New York Documents III., pp.* 469-472.

1,429. III. Instructions of Governor Dongan to John Palmer. You will tell the King that I have had information of the intention of the French Governor to make war against the Senecas, that the Council resolvea that we ought to help our Indians, and that you, Major Brockholes and others were sent to Albany for the purpose. The French pretext for this war is that our Indians war with the farther nations at the back of Virginia, Maryland and Carolina. This is a feigned pretence, for I have several times written to Mons. de la Barre that satisfaction should be given for all injury done by our Indians. But that would not satisfy him, for he came to Cayonhage, where the Indians wished me to build a fort and there trade in peace with them. As to their warring with the farther Indians, that is more hurtful to us than to the French, they being inclined to trade with us rather than with them. In my opinion Christians ought not to meddle with the Indians' quarrels, they bringing ruin to themselves. But Mons. de Denonville has no ground whatever for what he does, for I have offered to give him satisfaction for any ill the Indians should commit, and sent a messenger this spring for the purpose, giving him notice also that the Five Nations were the English King's subjects. Their real reason for the war is that the Five Nations will not submit to them. They have a further design to engross the whole trade of the country by ruining them. The King has sent over three thousand men to Canada; a fort has been built at Chambly, another at Montreal, another at Trois Rivierès, another at Cadaraqui, and this spring another at Oniagra, where I had thought to have built one myself. If they compass this design it will be of very ill consequence to all the King's subjects in these parts of America. The Five Nations are the best

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of bulwarks against the French; and if the French have all that they pretend to in those territories, the King of England will not have the width of a hundred miles from the sea. The people of Canada are poor and live only on beaver and peltry. The English, living plentifully, have not regarded the making of discoveries into the country, until of late one, Mr. Roseboom, encouraged by me, had leave in 1685 to go as far as the Ottawas, where they were well received. A little while after their visit, however, a party of our Indians attacked a castle of theirs and took away five or six hundred prisoners. I ordered these prisoners to be delivered to Roseboom and one Macgregory, and as many of them as were willing to return with them to their own country. Governor Denonville, hearing of this, sent a party which took the whole of them prisoners. This Government is poor, and if the war continues, it will be impossible to help the Indians without the assistance of our neighbours or of men from England. The revenue is particularly short this year, few beaver skins having been shipped to England. New York, Albany, and Esopus have raised a penny per lb. to help the Government, but, excepting Long Island, the rest of the country does not advance the King's revenue £150 per annum. To secure the peltry trade and the King's right to the County, I and my Council recommend the building of a fort at Lake Corlaer to secure us from French or Indian invasion, another at Cayonhage, a third at Oniagra, and two or three smaller forts between Senectady and the lake. This cannot possibly be done without four or five hundred men from Europe, but if Connecticut and the Jerseys be annexed to us, it will cost the King nothing. It would be very convenient if the boundaries could be fixed at home, provided that the country be first well discovered by us, wherein the French have much the advantage of us. It is very unreasonable that the French, who lie so far to north, should extend themselves so far to south and west, when they have any quantity of land lying in rear of their own dominions. Whether it be peace or war, the forts should be built, and priests sent to the Indians. I have influence enough to prevent our Indians warring with any that live among the King's subjects. The money now to be raised is to pay for arms and ammunition supplied to the Indians. I beg for instructions as early as possible. You will inform the King of my efforts to live on good terms with the French. *Signed,* Tho. Dongan. 7 *pp.* *Printed in New York Documents, Vol. III., pp.* 475-477. [*Col. Papers, Vol. LXI., Nos.* 291.-III., *and Enclosure III., only Col. Entry Bk., Vol. LXIX., pp.* 157-163.]

Sept. 9. **1,430.** Governor Dongan to M. de Denonville. I have received yours of 21 August, and am sorry to see that you have so soon

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forgotten your orders to live well with the English. I find the air of Canada has strange effects on all the Governors' bodies, for I no sooner entered the province than Governor de la Barre asked my help to war against the Senecas. On this I went to Albany, summoned the Five Nations, and rebuked them for attempting to do anything to the French that might disturb them. On this they assured me that they had done nothing to the French but what Mons. de là Barre had ordered them, namely, if they met with any French hunting without his pass to take what they had from them; but that if any of their people had committed injuries of which they did not know they would give satisfaction. Nevertheless, he came in a hostile manner to Cayonhage, on this side of the lake, and then by means of the Onandagas made a peace with the Senecas. So that whatever fault had been committed by the Senecas was concluded and cleared up then. But I appeal to any rational man, whether it was fit for any Governor of Canada to treat or make peace with the King of England's subjects without apprising the Governor of the Province under whom they live. But I find that your design to ruin these Five Nations, since you cannot win them to your side, is more than three or four years old. You propose to follow in your predecessor's footsteps, but though you have made so fair a beginning, I am sure you will not make so good an end. Our Indians on this side of the lake took alarm at your preparations at Cadaraqui, and I sent to you to ask what you meant. Your answer was that you were resolved to have a good number of men there, and were therefore accumulating stores against the long winter. Had I not believed you I might have been as ready to have gone on the other side of the lake as you were on this. Now I shall not imitate your style of expression, but ask you plainly to peruse my former letters. You will see that I still coveted nothing more than friendship between the two nations. Which of us is it that has taken the way to untie the knot of friendship? Your invasion of our territory in a hostile manner (though not received quite according to your expectation) is so plain a matter of fact that it is undeniable. Whether you did it designedly to create a misunderstanding I cannot tell. If you did, I hope that it will have no effect, but that our masters at home, notwithstanding all your trained soldiers and great officers come from Europe, will suffer us poor planters and farmers to do ourselves justice for the spoil you have committed on us. I assure you that if my master gives me leave I shall be at Quebec as soon as you will be at Albany.

As for Macgregory, he had no pass from me to go to Michillimaquinac, but a pass to the Ottawas, where I thought it might be as free for us to trade as for you; and as for giving him a commission to disturb your people, I assure you you do me wrong. If you will read his instructions you will find that I give express orders to the contrary. As to your sixty years of possession it is impossible, for the Ottawas and the Indians with pipes through their noses traded with Albany long before the French settled at Montreal. Even were it as you say, I do not see how you could have prohibited them from going to that

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particular place and let them to go to some other nation. It is true that I offered to leave the decision of all disputes to our masters. How have I acted to the contrary? You say that I hindered the Five Nations, our subjects, from meeting you at Cadaraqui. I did, and I thought it very unjust in you to invite them. My King did not send me here to suffer you to give laws to his subjects. Again, you say that I ordered the Indians to pillage and make war on your people. You forget that in your letters you told me that many of your people ran away to this province, and desired me to take and send back any that should be found on this side of the lake without your pass. I therefore ordered the people at Albany and the Indians to seize and secure all such persons, English or French, which had not your pass or mine. I deserve rebuke for this, since it has kept thousands of beaver skins from coming to Albany. Then you blame me for hindering the Senecas from delivering up their Ottawa prisoners to you. I did so for good reasons, for what pretence had you to make your application to them and not to me? I sent the prisoners back to the Ottawas with Major Macgregory; and if your claim be only to Michillimaquinac, what cause had you to prevent him from going to the Ottawas. As to my assisting the Senecas with arms, I never did so until the 6th August last, when I heard of your unjust invasion of my master's territory. Then I gave them ammunition, but I never offered them a man, for all our people were busy at harvest; and I leave it to your judgment if there were any occasion for it when only four hundred of the Indians engaged your whole army. You say that if I help the Indians you will esteem me an enemy. Let me tell you that you are a far worse enemy to your Colony than I am. I have always striven to keep these Indians from warring with you, often though you have provoked them. But you have spilled a deal of Christian blood without gaining your point; and you have gone so far as to take English prisoners in time of peace and confiscate their goods without just cause, so I doubt not that you will use the prisoners as you threatened to do. You say the King of England has no right to the Five Nations on this side the lake. Then whose subjects are they? You tell me of your having had missionaries among them. It is a very charitable act, but I believe that it gives no just title to the government of a country. Father Bryare writes that the King of China never goes anywhere without two Jesuits with him. I wonder you do not claim that kingdom. You say that you had many missionaries among the Indians when I came. I never heard of any but the two Lambervilles, whom I protected from the insolence of the Indians, as their own letters of thanks can prove. But when they understood your intentions they thought fit to go without taking leave; and I found that they had been there for other ends than propagating the Christian religion. Now that you have failed in your unjust aims you are willing to refer everything home. I shall endeavour to protect my master's subjects from your invasions until I hear from him. It is true that I have eaten a deal of the bread of France, and have, in requital, complied with my obligations in doing what I ought.

I should always prefer the French service before any but my own. I have a great respect for all people of quality of your nation, which engages me to advise you to send home all the English subjects, Christian and Indian, whom you now unjustly detain. *Copy.* 11 *p. Printed in New York Documents III.*, 472. [*Col. Papers, Vol. LXI., No.* 30.]

Sept. 9. **1,431.** Proposals made by the Maquas to the Mayor and Aldermen of the city of Albany. Present: Peter Schuyler, Mayor, Dirick Wessels, Recorder, Adr. Gerritse, Hend. Cuyler, Albt. Ryckman, Aldermen, H. Keeman and Robert Sanders, interpreters. Rode spoke as follows. Brethren, you know that the Governor has begun an illegal war upon us without any provocation. He throws his axe everywhere without respect of persons. He has not only taken prisoners of our people in time of peace, but also of the English that were travelling to the Ottawas, which you have as good a right to as the French. Arnout the interpreter, who is among the prisoners, has done us good service, and we having a French prisoner, do deliver him to Arnout's family in his stead. The Governor of Canada's heart is naught, but we hold fast to our covenant with you. (Here he gave a belt of wampum fourteen deep, and resumed) Let the Governor of Canada do what he will, and pull as hard as he can, he shall not break the chain of our friendship with you. (Here he gave a belt of wampum twelve deep, and resumed) Listen to no private discourse or prattle of drunken Indians, but only to the Sachems. (Here he gave a belt ten deep, and resumed) I shall pass now to military matters. We are full of grief over the misfortune that our people did not bring in Kryn and his company prisoners (he gave a belt twelve deep). The Governor has often told us not to trust the Governor of Canada, and we thank him for his advice. We openly declare war against him. We have a company of 130 men at Senectady who start to-morrow for the lake to do all the mischief they can to the French, and we have already three companies out on the same way. (Here he gave a belt ten deep.) We intend to pursue the war with vigour, and beg your Excellency to induce as many natives as possible to join us. If any Indians newly invited to our covenant be inclined towards the French and break a link of the chain, we must ask the smith to mend it. (Here he gave a belt of wampum ten deep.)

Answers to the foregoing proposals. You have done well in delivering the French prisoner, and we feel sure that it will be acceptable to the Governor. We bid you remind the other four nations of what his Excellency said and you have remembered, to spare your prisoners. You need not doubt that Corlaer will keep the covenant chain fast, and will be glad to hear that you are united. Since you have resolved to fight, proceed with vigour and courage, and be careful that business may be carried on with more prudence than that of Kryn. We have never been credulous of common reports. Satisfy yourself of the truth of any story, though the magistrates before you blaze it abroad. *Certified copy.* 6½ *pp. Endorsed. Printed in New York Documents, Vol. III., p.* 483. [*Col. Papers, Vol. LXI., No.* 31.]

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Sept. 12. New York. **1,432.** Governor Dongan to the Earl of Sunderland. Messages have reached me from Albany of their apprehensions of the French, which oblige me to take two hundred men thither in addition to the garrison, and to stay there for the winter. I must also collect five or six hundred of the five nations about Albany and Senectady; it will be expensive, but I see no remedy. It is a great misfortune that there are so few English in this Colony; the majority are Dutch, who would not be very fit for service on emergency. I am sending to the farther Indians to try and make a peace between them and the Senecas, also to the Christian Indians in Canada to let them know that I shall get a priest for them. I shall do what I can to serve the Government against the French till I have your orders. *Signed*, Tho. Dongan. 1½ *pp. Printed in New York Documents III.*, 477. [*Col. Papers, Vol. LXI., No.* 32, *and Col. Entry Bk., Vol. LXIX., pp.* 156, 157.]

Sept. 14. **1,433.** Proposals made by the Onandagas to the Mayor and Aldermen of Albany. We heard of the French intentions to make war on us in the spring. We have heard and approve the Governor's proposals that we should send our wives and children here for relief. We, and all the natives, except the Maquas, have lately been at Cadaraqui, and have got some prisoners. We desire some great guns for our fort at Onandage. The Governor of Canada has invited us to meet him at Cadaraqui this spring, but we obeyed his Excellency and would not go. We thank his Excellency for his gift of powder and lead, and have spared our prisoners as he bade us. We have searched for the French army as he told us, and have found that they have now entrenched at Cadaraqui and a fort at Oniagra. The Cayonges and Senecas see that the French are so powerful that they begin to be faint-hearted; they desire his Excellency's help, or we shall not be able to subsist. We think that the fort which he proposes to build at Cayonhage would be better at Sowego [Oswego], a day's journey from Onandage.

Answer to the foregoing. You did well to obey the Governor's advice, which is always good. We will tell him of your request for great guns, but you are not wise in asking for cannon, for they would tend to your greater ruin if the French should surprise you, as they did the Senecas. The Governor has received a very angry letter from the Governor of Canada because he supplied you with ammunition, but his Excellency will stand by the Five Nations, and will be here in person in the spring. He has sent orders for all the wives and children of the Five Nations to winter at convenient places along the river, that we may help them. Remember your promise to make no peace with the French without informing him, for the French will always cheat you as long as they can. Withdraw from all your castles that are not fit for war. The French are making great preparation of snow-shoes, and if they cannot ruin you otherwise, will try to do it by surprise. So send down your wives and children and bury all the corn that you do not want for the castles secretly in the woods, or bring it here. His Excellency is sending an

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answer to the French Governor's angry letter, and has written in not less anger to demand the Christian and Indian prisoners. He is also sending me to England to tell the great King of the French doings. So seize any Christian Indians who come to you with proposals for peace. We will tell the Governor what you say about the fort. Let the Cayonges and Senecas take courage; the Governor will stand by them.

September 15. On receipt of the Governor's letter the Indians were told that the Governor was coming up to Albany himself with some of the militia and the garrison to help the brethren; and that he asked for three hundred men for the Five Nations to winter with him at Albany. The Indians were much pleased, and said they would go home and acquaint the rest of their people. *Certified copy.* 8 *pp.* *Printed in New York Documents III.*, *p.* 485. [*Col. Papers, Vol. LXI.*, *No.* 33.]

Sept. 14. **1,434.** Minutes of Council of Maryland. James Cullen appointed assistant clerk of Council. The Nanticoke Indians appeared and presented themselves in a friendly manner. They were welcomed, and told that their grievances would be attended to. They asked for a patent for their land, and complained that an Englishman had stolen some furs from them. They also prayed for a free trade with the English.

Sept. 15. Resolved that Long Tom the Indian be tried by statute law for ravishing an Englishwoman. Order for survey of the Indians' lands, and for proclamation of liberty of trade with them. The Indians came and set about renewing the peace, praying also that they might be excused for Long Tom's offence. [*Col. Entry Bk.*, *Vol. LIV.*, *pp.* 113-116.]

Sept. 15. New York. **1,435.** Information of Anthony Espinard. I was sent in June last to Canada with letters to the Governor. The first place we stopped at was Chambly, where my company were detained on pretence of false passports, and myself sent in under a guard to Montreal. There again the Mayor said that my pass was false, as Governor Dongan was said to have been recalled. Five weeks later Governor Denonville came to Montreal, who appeared much dissatisfied that Governor Dongan supplied the Indians with arms and sent armed parties away in spite of the Treaty of Neutrality. Three weeks later Macgregory and his fellow prisoners were brought in, but I was not allowed to speak to them, and could not find out what was to be done with them. I saw Kryn the Indian and found him very loyal to the French, and in great esteem with them, both he and others. Governor Denonville told me that he did not go up with any intention to war against the Senecas with his army, but to renew the peace, which being refused he resolved to force them. The French officers seemed very bitter against the Senecas, and I heard that the Senecas behaved themselves valiantly and would have done more harm to the French had their powder been better. There was hardly a house at Montreal that had not one or more soldiers in it. *Signed*, Anthonie Lespinard. Sworn before N. Bayard, Mayor. *Certified copy.* 4 *pp.* *Printed in New York Documents III.*, 487, 488. [*Col. Papers, Vol. LXI.*, *No.* 34.]

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Sept. 16.] **1,436.** Petition of William Martyn and others to Samuel Pepys, Secretary of the Admiralty. Complaining of the behaviour of Captain Crofts to the master of the ship Daniel and Elizabeth, and relating how he detained the ship forty-eight hours, till William Gennes the master gave him a bill of exchange for twenty pounds, another for five pounds, two silver dishes, two silver spoons and three gold rings. *Signed by* William Martyn and five more. *Annexed*, three attestations by various witnesses in support of the complaint, all sworn before John Trelawny, Mayor of Plymouth, 16 September 1687. *The whole* 4 *pp. Endorsed*, (*see No.* 1,264). [*Col. Papers, Vol. LXI., No.* 35.]

Sept. 16. **1,437.** Declaration of William Gennes, giving the history of Croft's behaviour. Sworn as the foregoing. *Large sheet.* [*Col. Papers, Vol. LXI., No.* 36.]

Sept. 16. **1,438.** Further declaration of William Gennes. Sworn as the foregoing. 1 *p.* [*Col. Papers, Vol. LXI., No.* 37.]

Sept. 18. **1,439.** Additional instructions to the Duke of Albemarle. To enforce strictly the Acts of Trade and Navigation. Details at great length. [*Col. Entry Bk., Vol. XXXI., pp.* 310-323.]

Sept. 19. **1,440.** Minutes of Council of Maryland. Two Indians came and said they would endeavour to keep Long Tom from further faults, since he was condemned only to be whipped. The articles of peace with the Nanticokes were then agreed on. Eleven articles in all. The Council then gave their chief a laced coat, a shirt and a hat, which he very thankfully accepted, and the Indians then took their departure with great satisfaction. [*Col. Entry Bk., Vol. LIV., pp.* 116-119.]

Sept. 19. Barbados. **1,441.** Lieutenant Governor Stede to Lords of Trade and Plantations. The island is fairly healthy, though the want of seasons still continues. Everything is scarce and dear, and we are in danger of losing the most hopeful crop of corn for these many years for want of rain to wash off the caterpillars. We are past all hopes of any considerable quantity of sugar for the next two crops, so that the people grow much in debt. Money, too, is scarce here, and land so little valued that no one cares to buy it or take it for debts if anything else can be got; and if not creditors are content to wait rather than take land. Unless prices improve, the island will decay. We have now hardly one considerable merchant in the island, and not half the shop-keepers that there were twenty years since, so that, but for some Jews who keep shops, all necessaries would be wanting and very dear. I have lately sent the Mary Rose to St. Lucia, St. Vincent and Dominica to disturb the French from settling there, and have burnt their huts and sent the people off in their own ships without any hurt to their persons. This return of the French to these islands, is, I conceive, contrary to the Treaty of Neutrality, which I have strictly observed, even sending to Martinique the Frenchmen deported by the Mary Rose. Yet the French Governor is full of anger, now that he is disappointed of the liberty he formerly enjoyed in those islands of taking from them timber, without

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which they could never have fortified themselves as they have. The same reasoning makes these islands of great importance to the English possessions, so that if my actions are approved by the King I shall rejoice that I have angered the French Governor and persist in so doing as far as it is for the King's interest. I enclose copy of Count de Blenac's letter from Martinique, expressing much resentment and some menaces, also a deposition of Mr. Piers Lynch, reporting that the French still lay claim to those islands. By implication you will perceive that the French are the great cause of the enmity of the Indians towards the English. We have long suspected it here, and now it is proved by the Indians sending to Martinique the heads of the Englishmen they murdered in St. Lucia, and the joy testified by the French at the receipt thereof. *Signed*, Edwyn Stede. 1½ *pp. Endorsed.* Recd. 23 Nov. 1687. *Annexed*,

1,441. I. Count de Blenac to Lieutenant Governor Stede, Martinique, 19-29 June 1687. The affair of St. Lucia will be settled shortly, the King my master having sent to ask satisfaction for all that you have done. It is therefore useless for me to reply to all your letters on the subject. I shall only send the last injuries that the captain of the Mary Rose has done to the French at Dominica, that an explanation may be asked for again. You tell me that the three inhabitants of Martinique which you return to me were concerned in the murder of certain English by the savages. How could they have been, since they were on the Mary Rose a week before the murder. Such assertions serve only to cover a bad case. In compliance with my orders I have restored and caused to be restored to the English Governor of St. Christopher's all the negroes in French territory that belonged to the English. I have his receipt for them, and I hope that you likewise will restore me the mulatto belonging to Martinique as you promised me. *Signed*, Blenac. 1 *p. Endorsed.* Recd. 23 Nov. 87.

1,441. II. Deposition of Piers Lynch, merchant. In April last I put in with my ship to Martinique for wood, water and went ashore to see the Governor, who spoke of Captain John Temple and his piratical proceedings at St. Lucia and Dominica, adding that those islands belonged to the King of France, and that he was daily expecting French men-of-war to take vengeance for the outrages of the English. The French at Martinique seemed greatly incensed against the English. Sworn 23 August 1687. 1½ *pp. Endorsed.* Recd. 23 Nov. 87. [*Col. Papers, Vol. LXI., Nos.* 38, 38I., II., *and (despatch only), Col. Entry Bk., Vol. VII., pp.* 453, 454.]

Sept. 21. **1,442.** Minutes of Council of Jamaica. Francis Hickman sworn clerk of Council on the death of Mr. Egleton. Francis Hickman sworn and admitted secretary in his place. Charles Boucher appointed clerk of the Court of Common Pleas in the room of Harbottle Wingfield, deceased. [*Col. Entry Bk., Vol. XXXVI., pp.* 171, 171A.]

Sept. 21. **1,443.** Minutes of Council of Maryland. Order for prorogation of the Assembly. Judicial business. Order for issue of writs to summon the justices of Talbot and Somerset counties to meet and impose the levy. Proclamation for quickening the building of towns under the Act of Advancement of Trade.

Sept. 22. Order for new commissions of the peace for Charles and Talbot counties. [*Col. Entry Bk., Vol. LIV., pp.* 126, 127.]

Sept. 21. **1,444.** Minutes of Council of New England. Several inhabitants of Essex examined for refusing to pay their rates and for publishing factious, seditious writings. Order that they be committed for trial by special commission at Boston. Five others bound over to appear and take their trial. Certain others discharged.

Sept. 23. On the refusal of all the towns in Essex except Salem, Mowberry, and Marblehead, to pay rates, order for the estates of the inhabitants to be assessed and for the factious and seditious people to be bound over. Order for preparation of bills to regulate the choice of select men, to enlarge the jurisdiction of the inferior courts, and to require masters of ships to give security.

Sept. 24. The Act as to select men read twice. The Justices of Boston to meet and report as to the price of corn. [*Col. Entry Bk., Vol. LXIV., pp.* 141-145.]

Sept. 22.
Oct. 2.
Quebec.
1,445. Governor de Denonville to Governor Dongan. I send you copy of a letter which I have received from the King, wherein you will see how anxious the King is for friendly relations between the two nations. It has also resolved me not to await your answer to my letter of complaint sent by Antonie Lespinard. Though I have still ground of complaint against you and your people, since you have lately hired a party of sixty Mohawks to make a raid into New France, I have, in obedience to the intentions of the King, determined to send you back Mr. Gregory and the rest of his party, rejoicing to shew you my readiness to act in accordance with the treaty. I send duplicates of my former letters that you may understand why I detained him. As it is necessary to a good understanding between us, I have, in order to afford you an opportunity to communicate with me, retained only Captain Lockerman, the son of Arian Schuyler and Jean Blaquerd, who shall want for nothing till I have received satisfactory assurance from you that henceforth we shall live on good terms. The season is too far advanced for me to send a gentleman to you to speak such matters as cannot be written in letters, but if your intentions for a good understanding between us are genuine, you will have no difficulty in sending such a gentleman to me to make temporary arrangements till our orders arrive from home. I must not omit a new ground of complaint in the plunder of Pentagouet by your commandant of Boston. You know that by a treaty between the Governors of Boston and Acadia, Pentagouet

is recognised as a French possession. Pray bear in mind that you cannot furnish the Iroquois with ammunition without infraction of the Treaty of Neutrality. *Signed*, Le M. de Denonville. *French.* 3 *pp.* *Translated in New York Documents III.*, 512. [*Col. Papers, Vol. LXI., No.* 39.]

Sept. 26. **1,446.** Minutes of Council of Maryland. Order for displacement of Allan Smith from the office of Sheriff of Kent county. [*Col. Entry Bk., Vol. LIV., pp.* 127, 128.]

Sept. 28. **1,447.** Minutes of Council of New England. Several petitions read and considered.

Sept. 30. Order for grant of lands in the King's province to Simon Lynds. Dudley Bradstreet, committed to custody for neglecting his duty in respect of collecting the rates of Andover, acknowledged on examination that he acted by orders of the town, and was recommitted. [*Col. Entry Bk., Vol. LXIV., pp.* 145-148.]

Sept. 30. **1,448.** Pass for the Lieutenant Governor of Barbados for the ship Three Friends, bound for Tobago. *Signed*, Edwyn Stede. *Scrap.* [*Col. Papers, Vol. LXI., No.* 40.]

Sept. 30.
Jamaica. **1,449.** Lieutenant Governor Molesworth to William Blathwayt. Since my last Captain Spragge sailed direct to Havanna to demand Captain Bear. He had advised me that he could not go first to Providence, for want of a pilot to windward, so I added a postscript to his instructions (*see No.* 1,405), giving him latitude to sail for whichever of the two he judged most convenient. I lately received a letter from Providence from Mr. Bridge, who has been elected Chief under the name of Moderator. He writes that they would not receive Woollerly there, so I expect he is sailed for New England, where he was brought up. Copy of Mr. Bridge's letter is enclosed. About a month since Captain Yankey came near this island, having privately warned his old correspondent to supply him with necessaries, and directed whither they were to be sent. The correspondent, however, frightened by my recent severity towards his kind, refused to supply him, but shewed the letter to me, which told me perfectly where Yankey was, and asked for my directions. I answered that I could not permit him to be supplied from hence with anything whatever, but that if he was ready to come in, and live honestly among us, giving security for the same, he might be received. His ship has forty guns, but he had not at that time above sixty or eighty men; but having little idea that he would come in upon so slender an invitation, I sent to Captain Talbot to tell him that Yankey's ship was a capture from the Spaniards, that she was weak, and manned chiefly with Englishmen. He was therefore to demand the surrender of Yankey and bring him into port. Captain Talbot, however, wrote to me a day or two before he received my letter that he had split some of his sails and was short of provisions, so on receipt of my letter he came straight into port. If he had gone straight down the North Coast as I ordered him, he would have met Yankey in less than twenty-four hours. Copies of our correspondence are enclosed. Some

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time after this I received a letter from Yankey and one Jacob his partner, both Dutchmen, on behalf of themselves and their people, desiring to live honestly here. I sent a friendly answer, imposing certain conditions, of which the principal was, that their ships should be broken up, which, after all, is the best security that they shall not return to their old trade. It is now about a fortnight since the messenger left with my letter, but so far they have neither answered nor come in. But we have had bad weather, and I am told that they have been as if making for some of the leeward ports. If they do come in, it will be a good service done to Jamaica, and even better to the Spaniards. I was not a little encouraged towards this method of clearing the coast of pirates, by advice of a proclamation which the Duke of Albemarle is to bring with him for calling in privateers and pirates. The secretary's office being void by the death of Mr. Egleton, I have for the present put in Mr. Francis Hickman, pending further directions from the King or orders from the Patentees. 3 October. I have now received your letters of 8th and 16th July with the orders contained therein. Recd. 11 January 1687-8. [*Col. Entry Bk., Vol. XXXII., pp.* 55-60.]

Enclosures in the foregoing letter.

1,449. I. Thomas Bridge to Lieutenant Governor Molesworth, Providence, Aug. 23, 1687. In April last John Thurber, master of a New Bristol ship, came here from Campeachy and delivered to me four Indians, which had been piratically taken and forced on board his ship by Coxon. I shall send them to you by first opportunity. At the end of May a large ship appeared off the harbour and sent a boat ashore to say that she was from the South Seas, Thomas Woolerly, commander. I told them to leave one man ashore and go back, which man told me that she had Goffe on board. I told them that it was the King's order that they should not be entertained, and as she continued standing in I fired a shot across her forefoot. She then anchored, and next day Woolerly told me that he was come to wood and water, that he had Colonel Lilbourne's commission, and had done nothing contrary to it, and that he had taken in Goffe and his companions in extremity of distress. I refused him leave to come in, and he sailed away next day. I am told that they burnt the ship at Andrew's Island and dispersed, leaving only six or seven men in the Bahamas. We are awaiting the King's orders for the settlement of this Colony, and meanwhile our situation is shewn by the following instrument. *Here follows copy of a manifesto dated* 13 *July* 1687, *declaring twelve persons elected by public vote to carry on the Government, one of them to act as Moderator, always subject to the Royal authority. Signed,* Tho. Bridge. *Copy.* 2 *pp. Endorsed.* Recd. 11 Jany. 1687-8.

1,449. II. Sailing orders from Lieutenant Governor Molesworth to Captain Charles Talbot, R.N. You will sail from Point Morant by the North Coast to Point Negril, when

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you will certainly encounter Yankey on the way, to find him and bring him into port. At your first meeting you will demand the surrender of all Englishmen on board, which will make your conquest the easier. If he refuses, you know your duty. If you do not meet him you will certainly hear of him at Point Negril, and if information is refused to you by Johnson, you will arrest him for corresponding with pirates, for he can certainly give it to you. If he or any of his men are ashore at Point Negril you will endeavour to seize them there. I enclose you an order for all military officers to assist you. *Copy.* 1½ *pp. Endorsed.*

1,449. III. Captain Talbot, R.N., to Lieutenant Governor Molesworth, 2 September 1687. I have received your letter of 30th, but have come into port, being short, as I told you, of provisions. I should have waited on you before, but I have been ill, and the distemper has broken out all over my face. We have patched up our worst suit of sails well enough to have served probably for the best part of our voyage home, but they are so shattered by this cruising as to be far from serviceable. I must therefore ask you to give us credit for new sails, especially topsails. I should willingly have observed your last orders, but one suit of sails is not sufficient for a cruise so far to leeward at this time of year. The season ought to be considered, as also that we shall probably sail for England, so that if we batter all these sails the King will be at considerable expense. *Signed,* Charles Talbot. *Copy.* 1 *p. Endorsed.* Recd. 11 Jan. 87-8.

1,449. IV. Ensign William Geese to Lieutenant Governor Molesworth, Montego Bay, 3 September 1687. Captain Yankey and Captain Jacob have come into the bay and asked me to write you the enclosed letter. Yankey has a large Dutch-built ship with forty-four guns and a hundred men; Jacob has a fine barque with ten guns, sixteen patararoes and about fifty men. They have also a small sloop. When I had written the letter the whole company agreed to it. I cannot discover that they have any old privateers on board. *Signed,* Willm. Geese. *Copy.*

Copied below. Captains Yankey and Jacob to Lieutenant Governor Molesworth, Montego Bay, 3 September 1687. We have arrived from Carolina and brought several people thence who have been driven from the Colony by the trouble with the Spaniards. In all sincerity we present ourselves, our ships and company to the service of the King of England, and hope for your assurance that our ships and men shall not be troubled or molested, as we are ignorant of the laws and customs of this island. We can satisfy you that we have never injured any British subject. *Signed,* John Williams, Jacob Everson. *The whole,* 1 *p. Endorsed.* Recd. 11 Jan. 87-8.

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1,449. v. Lieutenant Governor Molesworth to Captains Yankey and Jacob, 12 September 1687. In reply to your letter, your ships and men shall be received in all friendliness, nor shall you be troubled on account of any accusation of piracy, for which you shall receive the royal pardon. But if any of your people owe money here they must expect to be dealt with according to law, for it is not in my power to forgive men's debts. As earnest of your intention to abandon piracy you must give security not to leave the island without leave from the Governor; you must take the oath of allegiance to the King, and you shall receive letters of naturalisation conferring on you all the liberties of British subjects; and you must positively break up your ships, for, being foreign-built, they cannot be used for trade here, and consequently will find no buyers if sold. I expect your answer or your speedy appearance at Port Royal. *Copy.* 1½ *pp. Endorsed.* [*Col. Papers, Vol. LXI., Nos.* 41, I.-v.]

Oct. 4.
Jamaica.

1,450. Lieutenant Governor Molesworth to William Blathwayt. I omitted to mention that I have heard from Mons. de Cussy, the Governor at Hispaniola, as to the Treaty of Neutrality, and informing me that he has orders to settle the Isle of Ashe, otherwise Isla de Vacas, just opposite their settlement at Hispaniola. He also told me that the French King had made Grammont (whom we took to be lost) his second lieutenant, and Laurens his third major, and therefore desired that no more of our ships might be sent to fish nor hunt on that coast, as it is to be reserved to the settlers. He added that if they continued to do so, the act would be treated as a breach of the treaty. I find that few of our ships do fish there, and then not for the edible turtle but for the tortoise shell, and as to hunting, the thing is unknown. So I issued a proclamation ordering compliance with Mons. de Cussy's request. Recd. 11 Jan. 1687-8. [*Col. Entry Bk., Vol. XXXII., pp.* 61-63.]

Oct. 5.

1,451. Minutes of Council of New England. Petitions received and considered. Dudley Bradstreet was again brought up, and acknowledging his folly and imprudence, was discharged, on giving £1,000 security for his appearance at the next superior court. Samuel Appleton being brought before Council on suspicion of being concerned in the late disorders in Essex, was recommitted to custody. [*Col. Entry Bk., Vol. LXIV., pp.* 149, 150.]

Oct. 6.

1,452. Minutes of Council of Jamaica. On reading the letter from the Lords of Trade respecting the King's house at Port Royal, Charles Boucher was ordered to survey it and report. Mr. John White presented the accounts of the Admiralty. Order for payment of £54 to Captain Spragge for expense of the sloop his tender. [*Col. Entry Bk., Vol. XXXVI., pp.* 171A-173.]

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Oct. 6. **1,453.** Admiralty accounts passed in the Council of Jamaica for Sir Thomas Lynch. Creditor, £178 14*s.* 5*d.*; debtor, £178 4*s.* 5*d.* 2 *pp. Endorsed.* [*Col. Papers, Vol. LXI., No.* 42, *and Col. Entry Bk., Vol. XXXVI., p.* 172.]

Oct. 7. Jamaica. **1,454.** Francis Hickman to William Blathwayt. I received a letter from you asking for an abstract of all patents by which land is held in Jamaica. I am told that it has been long in hand, but is only half finished. Mr. Egleton and his whole family are lately dead, so that the records have come to my hands in some confusion. I send the minutes of Council since I have been concerned, and shall hasten the other matters. *Signed*, F. Hickman. *Holograph.* 1 *p. Endorsed.* Recd. 11 Jan. 87-8. [*Col. Papers, Vol. LXI., No.* 43.]

[Oct. 10.] **1,455.** List of Acts of New England received from Sir Edmund Andros on October 10.

Act for regulating the purchase of land from Indians (passed 1 June).

Act for regulating fishing and fishermen (passed 1 June).

Act for probate of wills.

Act for making of barrels and other vessels for beer and cider, and for regulating the assize of staves and boards. [*Col. Entry Bk., Vol. LXI., p.* 357.]

Oct. 10. **1,456.** Order of the Lords Proprietors of Carolina for the admeasurement of six hundred acres of land in Jamestown precinct to Joachim Guillard. *Signed*, Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 119.]

Oct. 10. Whitehall. **1,457.** Lords Proprietors of Carolina to [Governor James Colleton]. We have sent your our letters and instructions of 3 March, but have received no account from you how you have executed our orders. You will amend this neglect. Meanwhile we have received yours of 23 December and 26 February, and approve of your having stopped the invasion of St. Augustine. We are pleased with your care for the defence of the province from any future attacks of the Spaniards; and we take notice of the attack of the Spaniards on the Yamasee Indians at Port Royal, which we suppose to have been in revenge for the plundering of Spanish settlements by these Indians, set on, as was reported, by the inhabitants of Port Royal. Such action was unjustifiable in the Scots, and we shall not protect the Indians against the consequences of such aggression. You cannot expect the Spaniards to live peaceably by you if they are thus provoked. You will enquire into the truth of this report, and send a civil letter to the Governor of St. Augustine, asking if the invasion were made by his orders and whether he avows it. Until we hear his answer we cannot well go further in the matter. You do well in your resolution to seize all privateers, and you must not fail to enforce the law against those that correspond with them or supply them with arms and ammunition, for we have hints that such things are done by some in Carolina. We send you

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by this conveyance a supply of great shot, granada shells and fuses.

By the enclosed copy of Mr. Muschamp's letter (*see No.* 1,204) you will see the complaint that he makes. You will enquire into this, and report to us. If any of the Court of Admiralty have used such expressions as he says, you will put them out of their commissions and put honest men in their place. We hope that you have not filled that commission except with men of good reputation, who are unstained by any commerce with privateers or by that foul business of the brigantine. You will send us a list of the Court of Admiralty, and of all the other officers of the Government, civil and military, with your opinion of them, that we may satisfy the King that all ill men are put out of office. You will inform us also in what method ships are admitted to trade, and show that they are duly qualified, whether this business is managed by yourself (as is most fitting) or entrusted to some one else, and if so, to whom. You will obtain from the secretary a quarterly list of all ships that have come in, with copies of the masters' certificates; you will note the time of their departure and their destination, and transmit the same to us with copy of the master's bonds, that we may send them to the Commissioners of Customs here. We recommend to you Captain Benjamin Blake as a very honest and faithful servant in such matters.

You have not acknowledged receipt of our instructions as to granting of land. You will report to us fully, and order the secretary, surveyor general, and registrar to bring you lists of all land grants and transmit the same to us. You will also send us a list of the warrants granted by you for running out of land since your assumption of the Government. Captain Quarry had orders to send us these lists, but has not done it. We appoint Mr. Paul Grimball, of whose honesty we are satisfied, to be secretary in his place. We are willing that the inhabitants shall have private wharves before their houses, provided they wharf the part of the end of the streets as well, and keep it in repair. We are also willing to meet the wishes of those who desire to purchase the land that they now rent from us. You will encourage such purchases at our rate of a shilling an acre, and we will allow you ten per cent. on all money that we receive hereby. We cannot permit the Scots to take their county northward, as they have not fulfilled their contract, but we are ready to oblige Lord Cardross when possible. Many people from Carolina complain that justice is not impartially done and that the expense of the law is excessive. We expect you to remedy this. *Signed,* Craven, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., pp.* 121-123.]

Oct. 10. **1,458.** Commissions to Paul Grimball as secretary and escheator of the Province of Carolina, south and west of Cape Fear. *Signed,* Craven, Bath (for Lord Carteret), P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., pp.* 126 *and* 128.]

Oct. 10. **1,459.** Instructions to Paul Grimball for the offices named in the preceding abstract. *Signed as the preceding.* [*Col. Entry Bk., Vol. XXII., pp.* 126 *and* 128.]

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Oct. 10. **1,460.** Commission to Benjamin Blake to be clerk of the Crown and peace in the province of Carolina to south and west of Cape Fear. [*Col. Entry Bk., Vol. XXII., p.* 129.]

Oct. 11. Custom House. **1,461.** Commissioners of Customs to Lords of the Treasury. On the petition of the merchants for an Act prohibiting the export of tobacco in bulk (*see No.* 1,397) we see no objection to such a law, but rather that it will be for the advantage of the King's customs. *Signed*, N. Butler, D. North, Jo. Werden, J. Buckworth, T. Chudleigh. ½ *p.* [*Col. Papers, Vol. LXI., No.* 44, *and Col. Entry Bk., Vol. LXXXIII., pp.* 156, 157.]

Oct. 12. **1,462.** Commission to Henry Horzdesnell to be Chief Judge of Bermuda during the King's pleasure. [*Col. Entry Bk., Vol. XVIII., pp.* 132, 133.]

Oct. 13. **1,463.** Circular. The King to the Duke of Albemarle. Directing the most stringent enforcement of the laws against pirates and their accomplices, a practice having grown up of bringing pirates to trial before the evidence was ready, and of using other evasions to insure their acquittal. *Countersigned*, Sunderland. *Memo.* That a copy was sent to the Duke of Albemarle on 15 November. [*Col. Entry Bk., Vol. XXXII., pp.* 44-47.]

To the Lieutenant Governor of Barbados. [*Col. Entry Bk., Vol. VII., pp.* 436, 437.]

To the Governor of the Leeward Islands. [*Col. Entry Bk., Vol. XLVII., pp.* 277, 278.]

To the Governor of Bermuda. [*Col. Entry Bk., Vol. XVIII., pp.* 137-140.]

To the Governor of New York. [*Col. Entry Bk., Vol. LXIX., pp.* 120-122.]

To the Governor of New England. [*Col. Entry Bk., Vol. LXI., pp.* 365, 366.]

To the Governor of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 186, 187.]

To the Proprietors of Carolina. [*Col. Entry Bk., Vol. XXII., p.* 131.]

General. [*Col. Entry Bk., Vol. C., pp.* 10-12.]

Oct. 17. Whitehall. **1,464.** Lords Proprietors of Carolina to Governor James Colleton. We hope that you have brought to trial the pirates taken in Carolina, and have made an example of them if convicted. We desire that you will send us depositions as to complaint made by Mr. Muschamp (*see No.* 1,204). We enclose the form of oath to be taken by you for the execution of the Acts of Trade and Navigation. *Then follows the form of oath. Signed* Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p,* 124.]

Oct. 17. **1,465.** The same to Paul Grimball. We have sent you a commission as secretary and escheator of the province south and west of Cape Fear. We expect you to do your utmost to put down pirates, and you will take care that the goods taken from

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certain pirates lately found guilty be kept for our use. *Signed*, Craven, P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII.*, *p.* 125.]

Oct. 19. **1,466**. Minutes of Council of New England. John Osgood and two others of Essex County, being brought up for refusing to pay rates and for publishing seditious matter, were bound over in £500 to take their trial. Christopher Osgood charged with the same misdemeanour was discharged. Samuel Appleton committed to custody till he give security in £1,000 to appear at the next superior court. [*Col. Entry Bk., Vol. LXIV., pp.* 150, 151.]

Oct. 19. Barbados. **1,467**. Lieutenant Governor Stede to Lords of Trade and Plantations. We are most certainly become very poor, our goods yielding nothing in Europe in spite of our short crop and the prospect of short crops, for what the drought did not destroy has been miserably destroyed by caterpillars, locusts and other vermin far beyond any destruction since the island was settled. We have no money in the island and no means of getting it, debtors and creditors alike are at their wits' end. What has discouraged us most of all is an imperfect report from London of a project set on foot by some indigent persons to obtain a monopoly of the sale of sugar and other West Indian produce; all produce is to be consigned to them, and they only are to supply us with money, credit and necessaries. As understood by the people here, this report disquiets them so much that but for their trust in the King I could not prevail with any of them to stay to see the event, or if the report were true or false. So terrified are they at the bare relation of it that they would immediately sell wonderful pennyworths of what they own here and seek their fortune elsewhere. But I hope that the King will permit no such project, so fatal alike to his interest and ours, to go forward. About four days since a great ship from the Duke of Courland arrived at Tobago, bringing a Governor for that island named Alten Bockun, and with him a second, Mons. Marreen, sometime the duke's resident in England. The latter arrived here four days since from Tobago, and told me that they have not more than eighty people in the island, all that were formerly sent thither being destroyed by the Indians or dead of starvation or gone from the desolate place where they lived so long without relief from the duke. I expect the same fate for these unfortunate gentlemen, for they have not stores of provisions to last them till fresh supplies arrive from Courland, nor have they money or credit. They hope to be protected and kept by this island, according to some agreement of the late King, of which I am ignorant. I told him so, and also that without instructions I could not violate the Navigation Acts, knowing how much Sir Richard Dutton was blamed for allowing a foreign sloop to come with timber to buy provisions for the sick Governor of Essequibo. Nor could I permit any emigration from here to Tobago. Even had I the King's leave we are not so well peopled now as to let any go whom we can persuade to stay. I assured Mr. Marreen of all the good offices that I could rightfully pay to him, and let him buy provisions

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for money, but I could not let his ship bring up timber to pay for it. *Signed*, Edwyn Stede. 2 *pp.* [*Col. Papers, Vol. LXI., No.* 45.]

Oct. 21. **1,468.** Minutes of Council of Virginia. Orders for the publication of the King's Declaration of Indulgence, and for the Commissions of the Peace to be published at the County Courts. [*Col. Entry Bk., Vol. LXXXIV., p.* 247.]

Oct. 21. **1,469.** Royal instructions for Sir Robert Robinson. The share due to us of treasure from wrecks is not a tenth but a half; you will therefore take care to collect that half, not only from ships that return from the wreck at Hispaniola in future, but also from the two ships that are already come in. We have appointed Henry Horsdesnell to be our Chief Judge in Bermuda, and you will give him all assistance, and send back our share of the treasure in H.M.S. Swan, which we have appointed for the purpose. If you have any difficulty in enforcing our rights, you will give notice to Captain Frederick Frowd of the Swan, and to the commander of our foot soldiers on board that ship. [*Col. Entry Bk., Vol. XVIII., pp.* 128-131.]

Oct. 22.
Whitehall. **1,470.** Circular. The King to the Duke of Albemarle. Ordering that one full half of the treasure recovered from wrecks be recovered for the Royal use, without admission of any excuse, such as payment of tenths or grant by patent. [*Col. Entry Bk., Vol. XXXII., pp.* 47-49.]

To the Lieutenant Governor of Barbados. [*Col. Entry Bk., Vol. VII., pp.* 437, 438.]

To the Governor of the Leeward Islands. [*Col. Entry Bk., Vol. XLVII., pp.* 284, 285.]

To the Governor of New York. [*Col. Entry Bk., Vol. LXIX., pp.* 123, 124.]

To the Governor of New England (*dated* 20 Oct.). [*Col. Entry Bk., Vol. LXI., p.* 367.]

To the Governor of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 184, 185.]

To the Proprietors of Carolina. [*Col. Entry Bk., Vol. XXII., p.* 132.]

General. [*Col. Entry Bk., Vol. C., pp.* 13, 14.]

Oct. 22. **1,471.** Affidavit of the mariners of the sloop Anne, which was sent to the wreck at Hispaniola, as to profits gained therefrom. Sworn before Lieutenant Governor Stede. 2½ *pp. Endorsed.* [*Col. Papers, Vol. LXI., No.* 46.]

Oct. 22. **1,472.** Duplicate of the foregoing. [*Col. Papers, Vol. LXI., No.* 47.]

Oct. 22. **1,473.** Minutes of Council of New England. The Governor reported the royal order for annexation of Connecticut. Resolved that he go in person, with such of the Council as he thinks fit, to take over the Government. [*Col. Entry Bk., Vol. LXIV., pp.* 151, 152.]

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Oct. 23. **1,474.** Instructions to Henry Horsdesnell, Chief Judge of Bermuda. To repair to Bermuda in H.M.S. Swan and take up his duties. Particular instructions as to the recovery of the moiety of treasure due to the King from wrecks. [*Col. Entry Bk., Vol. XVIII., pp.* 134-137.]

Oct. 24. **1,475.** Minutes of Council of Virginia. Order for the Justices of the Peace to take account at next County Court of the persons best qualified in body and estate to be listed in the troop of horse and in the foot, as a better method for ordering the militia. Order that Commissions of Administration shall all be drawn according to the prescribed form and be duly returned. The Governor acquainted the Council with the discovery of a negro plot at the Northern Neck. Order for the conspirators to be kept in custody till the General Court, unless it be found safer to try them at once, and for a proclamation requiring observance of the laws touching negroes. The Governor answered that he had received the report of the gentlemen appointed to revise the laws of Virginia. Consideration thereof deferred. The Attorney General gave an account of the fines returned to him. Order for the Sheriffs to take care that they be daily returned. Order for payment of the public expenses out of the threepence per gallon duty. [*Col. Entry Bk., Vol. LXXXIV., pp.* 249-259.]

Oct. 24.
Jamaica. **1,476.** Lieutenant Governor Molesworth to William Blathwayt. Yankey and Jacob could not digest my conditions that their vessels should be broken up, though the majority of his people were for it. I hear that he was led away by a few that had been concerned with the Trompeuse and Banister. So they made away to leeward, their vessels being much in want of repair and most of their men having deserted, so that they have but forty between them. Last night I had news of Captain Talbot's death from fever, so that the command of the Falcon devolves on Smith, the first lieutenant. Recd. 16 March, 1687-8. [*Col. Entry Bk., Vol. XXXII., pp.* 67-68.]

[Oct. 24.] **1,477.** Enclosures to the foregoing despatch.

Captains John Williams (Yankey) and Jacob Everson (Jacob) to Lieutenant Governor Molesworth. We have suffered much from calms and storms, and have only arrived after much distress off Point Negril. We beg you to consider that if our ships are broken up we shall be left destitute of all livelihood in present and future, and to allow us the use of them. We have neither of us money to purchase an estate ashore. I shall work into Bluefields and thence to Port Royal, but we are deserted by most of our men, and have none but raw hands left, so are afraid to stand close inshore for land winds. *Signed*, John Williams, Jacob Everson. *Copy.* 1 *p. On the following page,*

Lieutenant Governor Molesworth to Captains Williams and Everson, St. Jago de la Vega, 9 October 1687. I told you in my last that your ships, being foreign-built, could not trade in the British Colonies, and I shall not receive you except you break them up. If you will accept the condition, make the best of

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your way to Port Royal, if not, leave the coast at once, for I shall consider the treaty to be at an end. ½ *p.* *Endorsed.* [*Col. Papers, Vol. LXI., No.* 48.]

Oct. 24.
New York.
1,478. Governor Dongan to the King. Since Judge Palmer's departure I have heard from Lord Tyrconnell that I am to go home. I beg that if the quarrel with the French here can be ended at home, and if you think me better fitted for your service there than here, that you will send me orders. I beg you to see the state of this province, which I have sent to the Lords of the Treasury, which will shew you that I am much in debt to the people and your Majesty to me. This will continue and grow worse, unless Connecticut be annexed to this Colony, though the dishonesty of Mr. Santen is to be held accountable for much. If I am to come home I beg that £3,500 may be given to Sir Benjamin Bathurst to be remitted here. This will satisfy all the debts that I have contracted here. *Signed,* Tho. Dongan. 1½ *pp.* *Endorsed.* Recd. 22 Jan. 1687-8. *Printed in New York Documents III.*, 492. [*Col. Papers, Vol. LXI., No.* 49.]

Oct. 25.
New York.
1,479. Governor Dongan to the Earl of Sunderland. Macgregory is just returned from Canada, after being detained six months, and their goods taken from them. Four of his party are still kept there. Several of our Indians peacefully trading have been seized by the French, and a great many of them sent to France. It would be a great thing if they could be regained and sent back hither. The truth is that unless some steps be taken, the beaver trade and the right to the country will be lost. The French will encroach on other Governments as well as this. The fort that they have built by the side of the lake must be removed and we must build forts to secure our trade and our rights and our Indian allies. By hard words, fair words and a little bribery I have hitherto kept the Indians to us indifferent well, but that will not do always, for the French are very industrious, both by fair means and foul, to induce them to join them, and where I spend a shilling they are proud to spend ten pound. I hear the French are making great preparations in Canada to invade our Indians this winter, and the Governor is full of threats. To shew you our weakness, the tenth part of the militia is but three hundred men, though we have frontiers both to the French and Indians. These, with the garrison and some Indians, are all I can find to make head against the French. There are fifteen hundred Indians gone to Canada, which I hope will divert them, but in the spring I doubt not that they will come, for they have three thousand men there already, and expect many more from France. They swear to ruin the Five Nations for opening up a way for us to the beaver trade. The Governor of Canada told Macgregory so himself. The revenue is fallen off nearly one half, owing to the diminution of the beaver trade; and if we lay many more taxes on the people here they will leave us for some other Colony, so that the King must be at great expense to maintain this Colony, unless Connecticut be annexed. Six men can be raised in Connecticut for one here. Boston can bring five or

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six thousand men into the field already, and pay them besides. You are not so well acquainted with these parts of America as the French. They have great advantages by the last treaty but are not content, for they have taken five forts in the North West passage this summer, besides invading us. Six hundred thousand livres have been sent from France to Canada for making fortifications and paying their army. On our frontier they have fortified already, and they will never live easily with their neighbours here till they have one good blow given them, which may easily be done, for if all the English were joined together they would be twenty to one of the French. It can be effected now by sending four or five hundred men from Europe to help the Indians, and ordering all the American Governments to help with money and men. Now that the Governor of Canada has found that he could not surprise our Indians, and that he has built his fort at Oniagra, he fancies he has done his business. He finds our Indians troublesome, too, in Canada, and believing that my preparations are ten times greater than I am able to make he has written me a much milder letter than the last that I sent you. He has also sent me copy of a letter from the King of France, whether feigned or not I cannot say, though I was certainly informed that he intended to ruin our Indians. Perhaps he is content with the destruction of our trade. The constant expense inclines me towards a peace until the matters in dispute can be settled at home, if the Governor of Canada will quit his fort at Oniagra and leave things as they were. If he does not consent to that, I must ask for men and money from the neighbouring Colonies, though I have little hope of getting them without the King's own orders. If the King add Connecticut to Boston, as I heard he intends, it will be convenient to add this Colony also, for we cannot maintain ourselves as we are. I beg for instructions how I am to act, but I must say that no settlement of boundaries can be made until the country is well discovered. *Signed*, Tho. Dongan. 4½ *pp. Endorsed.* Recd. 22 Jan. 1687-8. [*Col. Papers, Vol. LXI., No.* 50.]

Oct. 25. 1,480. Governor Dongan to Governor de Denonville. I have received yours of 2 October from Quebec, with copy of a letter from the French King. The contents of this letter were in your instructions when you came out, or the King my master has been deceived. If they were, you were very wrong to invade our territory without provocation. I hope you have a better opinion of me than to think I cannot see as far as another man. I know what you aim at as well as you yourself, and you shall not obtain it, for I shall stand by our Indian subjects. Both your letters are full of complaints that I and my officers at Albany have violated the Treaty of Neutrality. We have not done so, but, on the contrary, have repeatedly told you that any injuries done to French subjects by our Indians should be speedily redressed on application to me. You tell me I have hired sixty Indians to devastate New France. I did not hire them, but I could not in justice hinder them from revenging themselves for your unjust proceedings towards them, first in taking sixty or more of them

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that were trading with your people and thought you friends, and next in coming with such a power of men against the Senecas, killing and wounding them, cutting down the growing corn, carrying off the other corn, and building a fort at Oniagara, and several other matters, all in time of peace and without cause. I have, however, sufficient charity for the poor people of Canada, who are not to blame, to prevail with the Indians not to torture their prisoners, but to exchange them. I pass by for the present your capture of Christian prisoners and confiscation of their goods, not doubting that I shall obtain satisfaction. But why should not English subjects travel in the woods as freely as French? You will say it is your country, but that I deny. Could you not have sent them back and prohibited them to trade there? It is very hard that all the country which a Frenchman walks on must belong to Canada. I am glad you think you ought to have a good understanding with the English, and wish that you had thought of it before. I have made as fair steps to a good understanding as I could, and had you kept within the bounds that you prescribe to me there would have been no dispute between us. You say that we should do nothing without our masters' orders; then what does he deserve who goes contrary to them? I have answered your letter. I do not know what right you had to take the prisoners which you are keeping, and I do not solicit for their return. I have done nothing contrary to the treaty, but I shall be at Albany all this winter if you wish to explain to me why you have done so. I however beg you, to save bloodshed and disputes, to send some one to me, when, if your demands be not unreasonable, I doubt not that matters may be composed. Pemaquid does not now belong to this Government, so I know nothing of what has happened there; but I cannot refuse to sell the Maquas ammunition, for they are English subjects. *Signed,* Tho. Dongan. *Copy.* $2\frac{1}{2}$ *pp. Printed in New York Documents III., p.* 513. [*Col. Papers, Vol. LXI., No.* 51.]

Oct. 25. **1,481.** Journal of Lords of Trade and Plantations. Answer of the Proprietors of Carolina to Mr. Muschamp's letter (*see No.* 1,204). Copy to be sent to the Lords of the Treasury.

Letter from Sir Nathaniel Johnson of 10 August read (*see No.* 1,387). Agreed to lay it before the King, together with the papers relating to the two companies and the Acts of Donations.

Sir Timothy Thornhill's appeal read. Agreed that he may prosecute his appeal within three months' time. Colonel Stede's letter of 29 July read. The Lords agree to advise that he be allowed to accept the gift.

Report from the Commissioners of Customs as to bulk tobacco read (*see No.* 1,461). Agreed to advise instructions to the Governors of Maryland and Virginia to procure legislation as desired. [*Col. Entry Bk., Vol. CIX., pp.* 104-107.]

Oct. 25. **1,482.** Lords of Trade and Plantations to the King. On the petition for prohibition of the exportation of tobacco in bulk, we advise that the Governors of Virginia and Maryland be instructed to do their best to pass a law to this end. [*Col. Entry Bk., Vol. LXXXIII., pp.* 157, 158.]

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Oct. 25.
Council Chamber.

1,483. Lords of Trade and Plantations to the King. Recommending that the grant of £1,000 to Lieutenant Governor Stede by the Council and Assembly of Barbados may be allowed. [*Col. Entry Bk., Vol. VII., p.* 432.]

Oct. 25.
Whitehall.

1,484. Order of the King in Council. Approving of the foregoing report and ordering accordingly. *Signed,* John Nicholas. [*Col. Entry Bk. Vol. VII., p.* 433.]

Oct. 25.

1,485. William Blathwayt to Henry Guy. Forwarding the answer of the Proprietors of Carolina to the complaint of George Muschamp (*see No.* 1,417). [*Col. Entry Bk., Vol. C. p.* 8.]

Oct. 25.

1,486. Minutes of Council of New England. Order for prosecution of a French ship seized; and for payment of the Governor's expenses to Connecticut. [*Col. Entry Bk., Vol. LXIV., pp.* 152, 153.]

Oct. 26.

1,487. Journal of Assembly of Barbados. Act to continue expiring Acts read and passed. [*Col. Entry Bk., Vol. XIV., p.* 173.]

Oct. 28.

1,488. Petition of Mary, wife of James Smailes, to the King. For the release of her husband, imprisoned by Governor Cony, and the restitution of his ship, confiscated by the same. ½ *p. Endorsed.* Recd. 28 October 1687. Read in Council 4 Nov. [*Col. Papers, Vol. LXI., No.* 52.]

Oct. 28.

1,489. Order of the King in Council. That the Lords Proprietors order the Governors of Maryland to do their best to pass a law prohibiting the exportation of tobacco in bulk. *Signed,* Wm. Bridgeman (*see No.* 1,397). [*Col. Papers, Vol. LXI., No.* 53, *and Col. Entry Bk., Vol. LXXXIII., pp.* 159, 160.]

Oct. 28.
Treasury Chambers.

1,490. Lords of the Treasury to the Duke of Albemarle. The King's circular of 22 October as to wrecks means no derogation from the particular covenants that have passed between him and you, the King having reserved the determination of all such matters in dispute to himself. *Signed,* Bellasys, Dover, Godolphin, S. Fox, J. Ernle. [*Col. Entry Bk., Vol. XXXII., pp.* 50-51.]

Oct. 28.
Nov. 7.

1,491. Memorial of the French Commissioners to the King. We are instructed to represent to you that Colonel Dongan continues to thwart the French Colonies in America with all his power; he has supplied arms to the Iroquois and made them presents to encourage them to war. We beg you to send new orders to Colonel Dongan and also to the Governor of Boston forbidding him to encroach on Acadia. Experience shows that those in command of Colonies frequently act rather for their own interest than for the good of the Colonies, and to remedy this evil we propose that the boundaries between the lands of the two nations shall be properly laid down, and the English and French Governments held responsible for any violation thereof. *Signed,* Barillon, Dusson de Bonrepaux. *French. Translated in New York Documents III.,* 506. [*Col. Entry Bk., Vol. LXIX., pp.* 167-169.]

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[Oct. 30.] **1,492.** Memorial of the French Ambassador and Envoy to the King. Mr. Philippe Siveret, of the ship Jeanne, recently sailed with wine consigned to merchants at Pentagouet in Acadia, which were seized by the English judge at Pemaquid as contraband, under the pretence that Pentagouet belongs to your Majesty. It is expressly declared by articles 10 and 11 of the Treaty of Breda that Acadia is the French King's, and orders were given by the late King in August 1669 to restore it and Pentagouet with it. This was done, and a receipt was taken from the French commander for the restoration. We doubt not that you will disavow the action of the judge at Pemaquid, cause the ship and cargo to be restored, with compensation, and forbid such proceedings in future. *Signed,* Barillon, Dusson de Bonrepaux. *French.* 2 *pp. Endorsed.* Recd. 30 Oct. 87. [*Col. Papers, Vol. LXI., No.* 54.]

[Oct.?] **1,493.** Answer of the French Ambassador and Envoy to the English memorial of 15 June 1687 respecting St. Lucia. (1.) The English took possession in 1605. *Answer.* The French possession is older. (2.) Governor Thomas Warner took possession in 1626. (3.) Francis Lord Willoughby bought the island in 1665, and in the following year the French residents, who had been there since 1643, were deported to Martinique. *Answer.* The English could not have bought the island from the Caribs if the French were in possession in 1643. (4.) The alleged surrender of the island by six English deputies sent to Martinique for the purpose in 1664 is baseless. The English went to Martinique to get provisions, for they were starving, and the French took the opportunity to extort from them a recognition of the French sovereignty. *Answer.* The abandonment of the island by the English is proved by authentic records. Lord Willoughby wrote disclaiming all share in the descent on St. Lucia. (5.) The island is named in the commission of an English Governor. *Answer.* So it is in the commission of a French Governor. (6.) The Treaty of Breda has no bearing on the question. *Answer.* This is a question of facts. The island was in the hands of the French in 1643, and was taken by the English in 1664. It therefore reverted to the French by the 12th article of the Treaty of Breda. *The arguments are ranged in parallel columns.* 7 *pp. Endorsed.* [*Col. Papers, Vol. LXI., No.* 55.]

Oct. 31. Albany. **1,494.** Governor Dongan to the Earl of Sunderland. I have come here, and have from three to four hundred men, which makes as much noise as if we had six times as many. It is believed in Canada that we have many more. The French Governor's last letter is milder, being inclined for peace, and all this as he pretends for the augmentation of the Christian faith; but I know to the contrary, for he has built a fort or two where our people must pass to go beaver hunting, intending thereof to secure our Indians and our beaver trade to himself. He will succeed unless the forts be demolished, as in justice they ought to be, for the Five Nations have traded with this town ever since its foundation, now about sixty years ago, and they are really subjects of the King of England. Three years ago Governor de

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la Barre made the same attempt as this Governor, on which, at the complaint of the Indians, I fixed the royal arms on all their castles. He speaks of the Treaty of Neutrality which he has violated by attacking the Senecas. I will not hear of peace until he leaves things as he found them when he assumed the Government, demolishes the forts, restores goods taken from the English, and returns his Indian prisoners. I hear that he has sent some of the last to France. It is very important that they should be returned; the Indians have specially asked me to request it. If done, it will be such a tie to them that they will never forsake us. There are now fourteen or fifteen hundred of them up and down Canada who will do a great deal of mischief, for they are a dangerous enemy in these woody countries. If the King has any regard for the beaver trade or for any part of America besides that which is at our doors, now is the time to act, for what is concluded now will hold for ever. Boundaries should not be decided till a full description of the country is before him, but the beaver trade should be opened to both nations, and things left as they were until 1685 or 1686. Whatever happens, forts must be built and men must be sent from Europe. We can carry on the war with Connecticut, the Jerseys and four or five hundred men from England to help us, and with some men and money from the other Colonies. The Governor of Canada brags that I am recalled for helping the Indians. I have given you a true account of everything. *Signed*, Tho. Dongan. 2 *pp. Endorsed.* 22 Jan. 87-8. [*Col. Papers, Vol. LXI.*, *No.* 56.]

Oct. 31. **1,495.** Governor Dongan to Governor de Denonville. I have received your letter, and can only reply that your charging me with beginning the war is a poor pretence, for a man of ordinary capacity can see your true intentions. As to my style, I cannot alter it towards one who accuses me of matters which would cost me my head if I were guilty. You say that the fixing of boundaries should be left to our masters. I am not conscious of having made any alteration in the Government since my arrival. On the contrary, I told Mr. de la Barre that on application to me he should have satisfaction for any injuries, and I told you the very same. I do not take our right to the Five Nations from Mons. de la Barre but from our own records, which prove that they have been in friendship with us ever since this town was founded. They submitted themselves to the Dutch first and to us afterwards. The King has granted part of the conquest-lands to Mr. Penn, and the Indians have met the Governor of Virginia and given him two deerskins to be sent to England and sealed, in order that that part of the Susquehanna river might be annexed to this Colony. What doubt can there be that they are English subjects? It is you, not I, who have broken the treaty. I cannot do less than provide our subjects with the means of defence. You did well to send back Major Macgregory, for you had no right to take him. I have joined the Five Nations because it was my duty, and yet you tell me of breaking the treaty; but when you attacked the Senecas you might as well have attacked New York. If you had any ground of complaint against the Senecas you should have referred it to me. Your civil treatment of Major Macgregory at Quebec shall be reciprocated by me to your people. It is not in my nation to rail, nor can I endure to be threatened. My cause carries justice in its face and will support itself without such language as you charge me with. Pray read your first letter to me. If the King your master knew the situation of the Five Nations, and of those to south and north-west of the lakes, he would adjudge it to the King of England. I am sure you will find that the best way to maintain good relations between us is to keep the Indians in their obedience, that being the only pretence for what you have done; but the only way of beginning the good work is to restore things to the same state as when you took over the Government. (1.) To give satisfaction for the goods taken from our traders. (2.) To demolish the forts at Oniagara and elsewhere, which you built this summer. (3.) To return your prisoners taken from the Five Nations, and remit the question of boundaries to our masters. If they find the Five Nations to be dependent on France I shall wish you happiness in governing them. Disobedience to my King's commands has never been pleasing to me. I have done my best to live on good terms with you; and if the Indians continue hostile to you it is for their own defence, and cannot be prevented till the disputes between us be settled. I have ordered the Indians to bring all prisoners taken from you to me, and I am ready to exchange them. They have sent three, and I have asked for some more that they have in their castles, a gentlewoman taken from Cadaraqui and four children taken from Chambly. It is difficult to get any prisoners from them, it being their custom to torture them. I desire nothing prejudicial to you in this exchange of prisoners. There is a great difference between them and Christian blood, which you will save by the exchange. As for the Senecas, they are obedient to this Government, and will keep any peace concluded between you and me. I will have no concern with treaties made without me. *Copy.* 5½ *pp. Endorsed.* Recd. 22 Jan. 1687-8. *Printed in New York Documents III.*, 515. [*Col. Papers, Vol. LXI., No.* 57.]

Oct. 31. **1,496**. Journal of Lords of Trade and Plantations. Sir Edmund Andros's letter of 31 August read (*see No.* 1,414). Agreed to lay the proposals as to revenue before the King. The reports on the Narragansett County and Pojebscot were referred to the Attorney General. Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 108-111.]

Nov. 1. Hartford. **1,497**. Minutes of Council of New England. Robert Treat, the Governor, and John Allyn, the secretary of Connecticut, were sent for and came, when it was resolved that they and the rest of the magistrates should attend his Excellency in the afternoon. The Governor then signified the King's order for annexation of Connecticut, and took over the Government.

Nov. 2. Justices of the Peace appointed. Order for the rate lately levied to be applied to the expenses of Government and for the debts

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of Connecticut to be ascertained. [*Col. Entry Bk., Vol. LXIV., pp.* 153-157.]

Nov. 4. **1,498.** Lords of Trade and Plantations to Governor Lord Howard of Effingham. Ordering him, in conjunction with Lord Baltimore, to procure the passing of a law prohibiting the export of tobacco in bulk from Virginia and Maryland. *Signed,* Jeffreys, Sunderland, Hamilton, Bellasys, Godolphin, Dover, J. Ernle.

The like letter was written to Lord Baltimore. [*Col. Entry Bk., Vol. LXXXIII., pp.* 160, 161.]

Nov. 4. **1,499.** Order of the King in Council. For the preparation of warrants appointing Samuel Shrimpton, William Brown, jun., Simon Lynde and Richard Smith to be of the Council of New England, as recommended by the Lords of Trade and Plantations. [*Col. Entry Bk., Vol. LXI., p.* 364.]

Nov. 4. **1,500.** Commission to Matthew Plowman to be Collector and Receiver of New York. *Printed in New York Documents III.,* 500. [*Col. Entry Bk., Vol. LXIX., pp.* 138-140.]

Nov. 6. **1,501.** John Spragge to [William Blathwayt]. I enclose some papers left with me by Judge Palmer. I am certain that no answer to De la Barre's letter of 1684 was sent to Sir John Werden and hope it is with you. If so, pray let it be produced with the others. *Signed,* J. Spragge. *Holograph.* ½ *p.* [*Col. Papers, Vol. LXI., No.* 58.]

Nov. 7. **1,502.** The King to Governor Sir Edmund Andros. We approve of your proceedings in respect of the revenue, as reported in your letter of 31 August (*see No.* 1,414), and direct you to carry your proposals for the increase of customs and excise, etc., into effect, sending us an account thereof half yearly. The casual profits of the Crown which are not mentioned in your account must not be disposed of without our order. *Countersigned,* Sunderland. *The whole of Sir E. Andros's statement is transcribed in the body of the letter.* [*Col. Entry Bk., Vol. LXI., pp.* 359-363.]

Nov. 8. **1,503.** Journal of Council and Assembly of Nevis. Captain John Netheway's commission as Deputy Governor of the island read. The Deputy Governor asked the Assembly to make preparations for a fitting reception for the Duke of Albemarle. [*Col. Entry Bk., Vol. XLVIII., pp.* 162, 163.]

[Nov.] **1,504.** Report of the Commissioners for executing the Treaty of Neutrality with France to the King. After frequent conferences with the French Commissioners as to Hudson's Bay, we opine that your Majesty has a right to the whole bay and the whole trade thereof, and that you should support the company in upholding that right, as the trade will be lost if the French are suffered to remain in the bay. The French have declared their readiness to regulate the boundaries between the two Crowns in America, and we beg your authority to treat with them for adjustment of the same. [*Col. Entry Bk., Vol. XXV., pp.* 74, 75.]

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Nov. 10. **1,505**. The King to Governor Dongan. We have received your letters. You will demand from the Governor of Canada the liberation of the prisoners that he has taken of our subjects, both Indian and English, together with the restitution of their goods. You will, at the same time, give him notice that we own the Five Nations as our subjects, and shall protect them as such; but you will keep them from doing injury to the French and cause satisfaction to be made for any injury, provided the French leave them unmolested. If, despite this declaration, the people of Canada persist in invading our dominions and annoying our subjects, you will protect them, arming and levying if need be all persons within your Government, and pursuing the French, if occasion require, beyond the limits of your Government. You are hereby empowered to build forts and batteries and to invoke the help of neighbouring Colonies. *Printed in New York Documents III.*, 503. [*Col. Entry Bk., Vol. LXIX., pp.* 163-166.]

Nov. 11. Whitehall. **1,506**. The King to Governor Sir Edmund Andros. If the people of Canada continue to invade our dominions and molest our Indians, and your assistance be invoked by the Governor of New York, you will assist him to the uttermost of your power. You are hereby authorised to arm and levy your inhabitants for the purpose, and to pursue the French, if need be, within their own territory. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. LXI., pp.* 368, 369.]

Nov. 11. **1,507**. Samuel Pepys to William Blathwayt. Captain Crofts being ordered home from Virginia to answer to the complaints of Lord Howard of Effingham, it is unnecessary for me to offer any report on the case to the Lords of Trade. But as Lord Howard should have the opportunity of justifying himself against the complaints of Captains Crofts and Allen, I enclose you extracts containing those complaints from Captain Allen's letters. *Signed*, S. Pepys. 1 *p. Endorsed.* Read 1 Dec. 87. *Annexed*,

1,507. I. Extracts from letters of Captain Allen, H.M.S. Quaker, and Captain Crofts, H.M.S. Deptford, to Mr. Pepys. *From Captain Allen*, 29 *Dec.* 1685. The Virginians are very angry at my staying here, because I won't let them cheat the King. They say I spoil the trade, call me old rogue and old dog, and when they see the ketch, say, "Here comes the devil's ketch." If they don't mind their manners they will come under the lash of the law as in Maryland. When I am away they hire small vessels and ship tobacco to New York and Newfoundland, where it is re-shipped to Holland, and bring back French brandy. *From the same*, 8 *Jan.* 1686-7. I hope a great deal of tobacco will reach England this year, for I have defeated the vessels of New York and New England. *From Captain Crofts*, 10 *April* 1687. The Governor is very unkind to us, and told me that if I did not obey his orders he would send me home in irons. He says that his footmen would make as good captains as we, and makes it his business to enquire of all masters if

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we take any bribes. I have carried several ships to be tried by him and the General Court, but he discharged them all without trial. There was a barque of eighty tons from New England with seven bales of dry goods on board and only four of them entered. The Court said that the bales might have got wet on the voyage, and so four have been made into seven, and cleared her. Another, a British ship, had entered but ninety-two hogsheads of tobacco out of two hundred. Lord Howard said it was the collector's fault, and cleared her. I seized a French ship with brandy, but Lord Howard said that it was Governor Dongan's, who had written to him about her, and ordered me to discharge her. I did so, and she was seized afterwards by the collector, by my Lord's order, and condemned. My Lord threatens to report me. If he does, I ask for a chance of defending myself. He says he will have me out if I follow Captain Allen's orders instead of his, but I follow Captain Allen. *From Captain Crofts*, 2 *June* 1687. Lord Howard is very severe with me. They say that, by a local Act, all vessels arriving with liquors are free on paying threepence a gallon. Cruising off the Cape of Virginia I meet with vessels from New York and New England which are employed in illicit trading, and it is for fear of my meeting with them that my Lord is so unkind to me. Again, most of the collectors of Virginia are of the Council, and my Lord takes it ill that I should examine their ships especially. He has twenty shillings for every small vessel that comes in and thirty shillings for others, besides other charges. I have given you an account of the escape of a sloop which we had taken. Her sails were secured in one of the collector's houses, but were taken away. My boatswain has been on board since the 21st February, but he is now a prisoner on board Captain Allen for selling part of the rigging. The gentleman has not been aboard me since the 13th March. He also is aboard Captain Allen as a prisoner. They say my Lord is their friend, and care nothing for me. We chased a supposed privateer in Rappahannock lately and found her to be an Irishman. Captain Allen and I were at once recalled by my Lord, but we waited four days and he never told us for what reason he sent for us. *From Captain Crofts*, 16 *June*, 1687. My Lord has incensed the country against me greatly, because my cruising checks smuggling. *From Captain Allen*, 17 *June* 1687. I understand that Lord Howard has sent home complaints against Captain Crofts. People out here, whom I thought I might have trusted, have treated me very ill. I have told Lord Howard that I will protect Captain Crofts in any unjust action. He summoned Captain Crofts before the Council at Jamestown. This is, I think, beyond his power. Such differences should be submitted to the King, or tried by Court-martial, for

I do not think the Council here competent to deal with affairs of the Navy. *Copy.* 8 *pp.* [*Col. Papers, Vol. LXI., Nos.* 60, 60I., *and (covering letter only), Col. Entry Bk., Vol. LXXXIII., pp.* 176, 177.]

Nov. 12. **1,508.** Letters patent granting to Sir Robert Holmes all goods that he shall take from pirates for three years. *Countersigned,* Pigott. [*Col. Entry Bk., Vol. XXII., p.* 135, *and Vol. C., pp.* 25-31.]

Nov. 12. **1,509.** Answer of John Palmer to the French Ambassador's memorial (*see No.* 1,492). It is true that the ship Joanna of Piscattaway in New England came direct from Malaga to Pemaquid, a dependency of New York, landed her cargo of wines, etc., on the western side of the Penobscot river without making any entry at the King's custom house, and covered it up with boughs of trees and old sails. The ship then sailed away to Piscattaway, leaving two men in charge of the cargo. I had then just been sent by Governor Dongan to inspect Pemaquid. On receiving information as to the Joanna, I, knowing that Penobscot was well to westward of the St. Croix, and therefore English territory, and that the ship was the property of an English subject, ordered search to be made for the cargo. The cargo was found as described by Ensign Thomas Sharp, and most of it brought by him to Jamestown in Pemaquid, where it was condemned before a Court and disposed of according to statute. I know little of the Treaty of Breda, but Penobscot is undoubtedly the King of England's territory, both before and after the treaty, and subject to the Governor of New York. I did not, therefore, think it my business to question the Governor's orders, but only to execute them. In Sir Edmund Andros's time no doubt was ever made but that Penobscot belonged to the King of England, this same M. de Castine, who now complains on behalf of the French, never hesitating to obey Sir Edmund's orders whenever he sent for him to Pemaquid. Nor have the French ever before made any such pretence, though there are several English subjects settled now between the Penobscot and the St. Croix. The goods do not belong to a French subject but to inhabitants of New England, who have grown rich by this illicit trade; so I say no more as to the claim for restoration of the ship and goods. *Signed,* J. Palmer. *Holograph.* 3 *pp.* *Endorsed.* Recd. 12 Nov. 87. [*Col. Papers, Vol. LXI., No.* 61.]

Nov. 15. **1,510.** Warrants for the appointment of Samuel Shrimpton, William Brown, junior, Simon Lynde and Richard Smith to the Council of New England. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. LXI., p.* 365.]

Nov. 15. Treasury Chambers. **1,511.** Henry Guy to the Commissioners of Customs. Forwarding extract of a letter from Sir E. Andros for report. *Signed,* Hen. Guy. ½ *p.* *Endorsed.* *Enclosed,*

1,511. I. Governor Sir Edmund Andros to Mr. Pepys, 30 June 1687. All ships are obliged to remain in harbour for three or four months of the winter, owing to the ice.

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Both the King's ships, Kingfisher and Rose, were thus kept in port all last winter. I propose that in future those ships shall be ordered to winter further to southward, at Virginia or elsewhere. Again, some convoy is necessary for ships coming from Salt Tortugas with salt for the New England fishery, and I propose that that season should be chosen for this service, and the ships at New England appointed for it instead of lying frozen up all the winter. *Extract.* 1 *p.* [*Col. Papers, Vol. LXI., Nos.* 62, 62I., *and (Enclosure only), Col. Entry Bk., Vol. LXI., p.* 369.]

Nov. 16. Custom House. **1,512.** Commissioners of Customs to Lords of the Treasury. We have nothing to object to Sir Edmund Andros's proposal as to the employment of the men-of-war about New England in the winter (*see No.* 1,511I.). *Signed,* Jo. Werden, N. Butler, D. North, J. Buckworth. *Copy.* 1 *p.* [*Col. Papers, Vol. LXI., No.* 63, *and Col. Entry Bk., Vol. LXI., p.* 370.]

Nov. 16. **1,513.** The English Commissioners for settling the dispute with France in America to the King. To the complaint of the French that Colonel Dongan has supplied the Iroquois with arms we advise the answer, that the Five Nations are your subjects, as shown by their treaty with the Governor of Virginia in 1684; and that you will take care that reparation shall be given for all injuries committed by them, provided that the French abstain likewise from doing them injury. We recommend also that you protect and support these Indians and give Governor Dongan the necessary orders for the same; and we ask for power to treat for the fixing of boundaries with the Commissioners. *Printed in New York Documents III.,* 508. [*Col. Entry Bk., Vol. LXIX., pp.* 173-175.]

Nov. 16. **1,514.** Memorial of the English Commissioners to the French. Repeating the purport of the foregoing abstract. *Printed in New York Documents III.,* 509.
English version. [*Col. Entry Bk., Vol. LXIX., pp.* 175-177.]
French version. [*Ibid., pp.* 177-179.]

Nov. 16. **1,515.** Memorandum. The English Commissioners for executing the Treaty of Neutrality delivered to the French Commissioners a paper stating the King's views on the several matters in dispute, and his authority to treat for the adjustment of boundaries. The French received them and proposed a prohibition of all acts of hostility on both sides during the further negotiations. *Memorial delivered by the English Commissioners as to Hudson's Bay.* The King is satisfied as to the right and title of England to the whole of Hudson's Bay and the trade thereof, and therefore bids us insist thereon as well as on satisfaction for injuries done to the Company by the French. *French translation of the same.* [*Col. Entry Bk., Vol. XXV., pp.* 75-78.]

Nov. 16. **1,516.** Answer to the reply of the French Ambassador respecting St. Lucia. There is nothing new herein which has not already been cleared in favour of the King of England's title in the first answer. The French pretend no possession until 1643, against the English possession of 1605 and 1626. As to the 12th article of the Treaty of Breda, it proves the King of England's title beyond dispute. The French allow that the island was in English possession in 1664, which was before the war, and the pretended surrender by a few vagabonds cannot be entertained; and the Treaty of Breda only contemplates the restitution of prior and rightful possession. 1½ *pp.* *Endorsed.* [*Col. Papers, Vol. LXI., No.* 64.]

Nov. 16. **1,517.** French version of the preceding. *Draft, with corrections.* 1½ *pp.* *Endorsed.* 16 Nov. 87. [*Col. Papers, Vol. LXI., No.* 65.]

[Nov. 16.] **1,518.** Memorial of demands on which the English expect satisfaction from the French at St. Christopher's. (1.) The restitution of several plantations sold by false contracts to the French after their capture of the island. (2.) Satisfaction for wilful devastation by the French since the Treaty of Breda. (3.) Restitution of thirty-nine guns taken from the English forts. (4.) Restoration of negroes belonging to the English, both stolen and (5) fugitive. (6.) Restitution of half the salt ponds and a tract of land near them. (7.) Satisfaction for obstruction to the free transport of goods from one English part of the island to another. (8.) Satisfaction for receiving and harbouring the barbarous Indians. 1 *p.* [*Col. Papers, Vol. LXI., No.* 66.]

Nov. 16. **1,519.** French version of the foregoing. Draft, with corrections. 2 *pp.* *Endorsed.* Nov. 16, 87. [*Col. Papers, Vol. LXI., No.* 67.]

Nov. 17. **1,520.** Journal of Lords of Trade and Plantations. Appeal of Dame Ayliff Rainsford heard. Agreed that the decree against which she appeals be reversed.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 112-115.]

Nov. 17. **1,521.** Minutes of Council of Jamaica. The Governor reported that Mr. James Wall had brought a deputation for the office of Post Master from the Earl of Rochester. Copy of the deputation. Petition of the merchants against the proceedings of James Wall in extorting money illegally (*see No.* 1,555). They represent that the Post-office does not exist, and should be erected, if at all, by Act of Parliament, though there would be so little for it to do that it would only be a useless burden. The ships deliver the letters at the doors of Port Royal without charge. In remoter parts it is different, but at least reasonable rates should be fixed, and the power should not be given to private persons to levy arbitrary exactions. The Council refused to publish the deputation. Proclamation recalling wreckers. Order as to the payment to be made by Mr. Hickman to the patentee of his office, and for the delivery to Mr. Hickman of the official papers in the hands of Mr. Egleton's executors. Order for sundry payments. [*Col. Entry Bk., Vol. XXXVI., pp.* 174-176.]

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Nov. 17. **1,522.** Minutes of Council of Jamaica. On the motion of the Lieutenant Governor a proclamation was issued, prohibiting any person from fishing for the wreck lately discovered on the shoals near the coast of Hispaniola, the King having granted the sole right of fishing to the Duke of Albemarle. Those now employed on the wreck must return and pay the King's tenths on their gains. 1½ *pp. Endorsed.* [*Col. Papers, Vol. LXI., No.* 68.]

Nov. 19. **1,523.** Copy of Judge Horsdesnell's receipt for papers delivered to him by William Blathwayt. Three papers referring to treasure recovered from the wreck, and a packet for the Governor of Bermuda. [*Col. Entry Bk., Vol. XVIII., pp.* 140, 141.]

Nov. Whitehall. **1,524.** The King to Governor Sir Robert Robinson. Ordering him to proceed without delay to examine and report on the case of James Smailes, of the ship Bachelor's Adventure, and to cause Smailes to be released from custody and to receive satisfaction for damages, if he deserve it. [*Col. Entry Bk., Vol. XVIII., pp.* 141-143.]

Nov. 19. **1,525.** Minutes of Council of New England. Order fixing a day of thanksgiving for the King's health. A bill to be prepared to enforce observance of the laws passed by the Governor and Council in Connecticut, and for settling other matters there. Charles Morton ordered to attend and answer for seditious expressions and a seditious sermon. [*Col. Entry Bk., Vol. LXIV., pp.* 157, 158.]

Nov. 21. **1,526.** Henry Guy to William Blathwayt. Forwarding the papers concerning the perquisites of the Government of Jamaica (*see No.* 1,374). *Signed,* Hen. Guy. ½ *p. Endorsed.* [*Col. Papers, Vol. LXI., No.* 69.]

Nov. 23. **1,527.** Petition of Nicholas Lynch and others of Montserrat to Sir Nathaniel Johnson. Returning him thanks for the impartiality he has shewn towards Roman Catholics, and asking him to relieve them from the burden of maintaining Protestant Ministers. *Copied below.* Order of Sir Nathaniel Johnson. That ministers, both Catholic and Protestant, shall in future be paid not from the Treasury but by the vestries. *The whole.* 1 *p. Endorsed.* Recd. 26 July 88. [*Col. Papers, Vol. LXI., No.* 70.]

Nov. 23. **1,528.** Petition of Colonel John Devereux, Marshal of Montserrat, and Richard Nugent, Secretary. Asking for a decision as to the validity of the patent for their offices granted to Sir James Cotter, as it has been called in question. *Copied below.* Order of Sir Nathaniel Johnson, 23 November 1687, declaring the patent valid. 2 *pp. Endorsed.* [*Col. Papers, Vol. LXI., No.* 71.]

[Nov. 23.] **1,529.** Memorial of the French Ambassador and Envoy Extraordinary. We have not yet received a reply to our memorial complaining of the action of Captain George Beach at Dominica, of Captain Temple at Tobago in 1686, and of the seizure of a French vessel off Newfoundland by an English pirate. We beg once more that the French ship captured at Dominica may be restored, and such proceedings forbidden to the English captains in future. *French.* 2 *pp.* *Endorsed.* Recd. 23 Nov. 87. [*Col. Papers, Vol. LXI., No.* 72.]

Nov. 23. **1,530.** Minutes of Council of New England. Bill for enforcing the laws of Connecticut read and amended. Bill concerning select men amended.

Nov. 24. A bill concerning select men rejected. Charles Morton bound over in £500 to take his trial at the next Superior Court. Order for James Atkins to be prosecuted at the same time for spreading false reports. [*Col. Entry Bk., Vol. LXIV., pp.* 158, 159.]

Nov. 24. Montserrat. **1,531.** Order of Governor Sir Nathaniel Johnson for the regulation of the fees of the Secretary and Provost Marshal. 2 *pp. Endorsed.* Recd. 26 July 88. [*Col. Papers, Vol. LXI., No.* 73.]

Nov. 25. Whitehall. **1,532.** Lords Proprietors of Carolina to the Governors of Carolina. We enclose you copies of two letters from the King respecting the suppression of pirates, and the conservation of the royal rights to the wreck at Hispaniola (*see Nos.* 1,463 *and* 1,470). You will take care to execute these orders and report to us. *Signed,* Craven, Bath (for Lord Carteret), P. Colleton, Tho. Amy. [*Col. Entry Bk., Vol. XXII., p.* 133.]

Nov. 27. **1,533.** Declaration of Captain George St. Loe respecting Bermuda. I arrived at Bermuda at the end of July 1686 by order of Sir James Russell, and saw letters from Governor Cony asking for the assistance of a frigate, as the island was in a state of rebellion. I was boarded by the master of a Bermuda ship, who told me that if I said the word he and the people would bring Cony prisoner on board me, and I was offered several presents if I would take their part against Governor Cony. The Governor several times asked me to be of his Council when the trial of the articles exhibited against him was going forward, but I excused myself till I saw the insolence of the people towards the Governor. Lieutenant James Farmer endeavoured to obstruct the Governor's evidence, and would have struck him had I not stepped in between them. Then Farmer said that this was what they had long expected, slavery. I asked if the Governor had taken anything from them, and was told no, but that it was his intention, in which I suppose they referred to the crown lands, etc. The Governor published throughout the island that all might freely come and give evidence against him. There was no obstruction to the witnesses as William Righton pretends. Governor Cony caused the Council to be removed from his house at St. George's to the middle of the country, but the Council and I found the witnesses ignorant of the evidence against the prisoner. They reviled and abused him, but I could not find that he had injured any. I only found them to be a mutinous, turbulent, hypocritical people, wholly averse to kingly government. The country were of opinion that they might turn out the Governor without violating the law, and said they could produce a precedent for it in a

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Governor of Providence; and when I advised them to the contrary, Samuel Trott gave me a book entitled, "The Liberty of the Subjects of England," by which he would make it appear that they had power to send the Governor home prisoner, but not the Governor them. The sheriff would not obey the Governor's warrants, but the Governor, by what I could find, stood firmly for the King's interest. *Signed*, G. St. Loe. Sworn 9 Jan. 1687-8 before William Beversham. 2 *pp.* [*Col. Papers, Vol. LXI., No.* 74.]

Nov. 28. Boston. **1,534.** Governor Sir Edmund Andros to Lords of Trade and Plantations. On the 18 October last I received the order for annexing Connecticut to this Government, which I at once communicated to the Council here, and to the Governor of Connecticut. I went shortly after to Hartford, where the General Court was assembled, and on the 1st inst. the King's Commission and orders were publicly read, the old Government was dissolved, and the Colony was taken over by me. Governor Treat and Secretary Allyn were sworn of the Council, and next day I appointed the principal officers, civil and military. I then went to Newhaven that I might return by the sea side and settle all those districts, when the people in general shewed ready submission to the King's orders. Lately several persons in Essex made a disturbance about the payment of their rates, chiefly in the town of Ipswich. They were tried, convicted, and fined and bound over to keep the peace. The rates have been assessed more to the King's advantage than before, and all is quiet and in good order. I have finished a palisade fort of four bastions in Fort Hill, with a house for lodging the garrison, which is much wanted, till a really fitting fortification can be built. *Signed*, E. Andros. 1½ *pp. Endorsed.* Recd. 18 Jan. 1687-8. [*Col. Papers, Vol. LXI., No.* 75, *and Col. Entry Bk., Vol. LXI., pp.* 373, 374.] *Annexed*,

1,534. I. Minutes of the Council of New England, November 1, 1687, Hartford. The Governor communicated his orders to annex the Colony of Connecticut. Robert Treat, Governor, and John Allyn, secretary, were sent for, as also the magistrates, and the Governor having read his commission, received Connecticut with the Government of New England. Robert Treat and John Allyn were then sworn of the Council.

November 2, 1687. The Governor in Council nominated the Sheriffs and Justices of the Peace as follows.

County of Hartford.		*County of New London.*
JUSTICES.		JUSTICES.
John Talcott.	In quorum.	Edward Palmer.
Samuel Willis.		James Fitch.
Humphrey Davye.		Samuel Mason.
Benjamin Newbury.		George Denison.
John Wadesworth.		Daniel Witherley.
Samuel Talcott.		John Chapman.
Giles Hamblyn.		Matthew Grizell.
John Chester.		

SHERIFF.		SHERIFF.	
Phineas Willson.		Richard Edgcombe.	
County of New Haven.		*County of Fairfield.*	
JUSTICES.		JUSTICES.	
William Jones. James Bishop. William Rosewell.	In quorum.	Nathan Gold. Jonathan Selleck. Samuel Sherman.	In quorum.
Andrew Leete.		Joseph Haley.	
Thomas Trowbridge.		John Burr.	
Richard Bryant.		Joseph Gudson.	
John Beard.		Thomas Fitch.	
		Jonathan Lockwood.	
SHERIFF.		SHERIFF.	
John Hudson.		William Sydenham.	

Ordered that the rate lately appointed for payment of the county's debts be continued, and both debts and rate be ascertained. The Governor travelled to Fairfield and saw the civil and military officers sworn. 4½ *pp. Endorsed.* Recd. 18 Jan. 87-8.

1,534. II. Names of the late magistrates in the Colony of Connecticut.

Robert Treat, Governor.
James Bishop, Deputy Governor.
Nathan Gold.
John Talcott.
John Allyn.
William Jones.
John Winch (dead).
Andrew Leete.
John Wadesworth.
James Fitch.
Samuel Mason.
Benjamin Newbury.
Samuel Talcott.
Giles Hamblyn.

1 *p. Endorsed.* Recd. 18 Jan. 87-8.

1,534. III. List of the several towns and military officers in the four counties of Connecticut.

Hartford County. Eight towns. John Talcott, major; six captains, seven lieutenants, eight ensigns.

New London County. Seven towns. Edward Palmer, major; four captains, six lieutenants, six ensigns.

New Haven County. Six towns. Robert Treat, colonel; three captains, six lieutenants, six ensigns.

Fairfield County. Seven towns. Nathan Gold, major; four captains, seven lieutenants, seven ensigns. *Large sheet. Endorsed as the preceding.*

1,534. IV. Proceedings of a Town-meeting at Ipswich, 23 August 1687. Protesting against the levying of a rate without the consent of an Assembly, voted by the whole town twice. *Certified copy.* 1 *p. Endorsed as the preceding.*

1,534. V. Proceedings of a similar meeting held at Topsfield 30 August 1687, for the same purpose. The language is milder than in the case of Ipswich. *Copy.* 1 *p. Endorsed as the preceding.*

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1,534. vi. Proceedings of a Spanish Court held at Boston 3 October 1687 to try certain information laid against certain of Ipswich. The ringleader, John Wise, a minister, was suspended from his ministry, fined fifty pounds, and required to find security in £1,000 for good behaviour. Robert Appleton received the same sentence; the rest lighter penalties. 44 *pp. Endorsed as the preceding.*

1,534. vii. Abstract of proceedings against John Wise and others of Ipswich 3-24 Oct. 1687. 2 *pp. Endorsed.* [*Col. Papers, Vol. LXI., Nos.* 75i.-vi.]

Nov. 28. **1,535.** The same to the same. An abridgment of the foregoing despatch. 1½ *pp. Endorsed.* Recd. 22 Jan. 1687-8. [*Col. Papers, Vol. LXI., No.* 76, *and Col. Entry Bk., Vol. LXI., p.* 372.]

Nov. 28. **1,536.** Governor Sir Edmund Andros to Lord Dartmouth. I have given you an account of the new batteries making at Castle Island, and of my new fort at Castle Hill. The work has been somewhat delayed by my departure to annex Connecticut. The hill is now levelled about 150 feet square (the polygon interior), which earth being carried into the place for bastions, I have enclosed as a fort with palisades, and erected a timber house to lodge the garrison till a fit fortification can be made. Sackers or long guns will be best for arming it, but we have not enough here, and no field-pieces. I beg for a supply of ammunition and small arms, and some hand mortar pieces like those at Tangier. The small arms should be strapped. We have none here but a few old matchlocks, and we shall want some soon if the French persist in their invasion. *Copy.* 1 *p. Endorsed.* Recd. 18 Jan. 87-8. [*Col. Papers, Vol. LXI., No.* 77.]

Nov. 30. **1,537.** Minutes of Council of New England. Order for the Justices of the Peace to see to the relief and maintenance of the poor throughout the dominion. Samuel Appleton committed to custody, not having found security as ordered. [*Col. Entry Bk., Vol. LXIV., pp.* 160, 161.]

Nov. **1,538.** Memorial of the French Ambassador. The French and English in the Island of St. Christopher's have announced that it would be a great convenience if a tribunal could be erected, composed of subjects of both nations, to adjust any disputes between them. The King my master has written to M. de St. Laurens authorising him to approach the English Governor on the subject, but the King of England should give the like orders to his Governor to arrange the affair authentically. *French.* 1½ *pp. Endorsed.* Nov. 87. [*Col. Papers, Vol. LXI., No.* 78.]

Dec. 1-5. **1,539.** Copy of the London Gazette, containing loyal addresses to the King from the Ministers of the Gospel in New England and from the inhabitants of Hartford. [*Col. Papers, Vol. LXI., No.* 79.]

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Dec. 1. **1,540.** Journal of Lords of Trade and Plantations. Draft report on Ayliff Rainsford's appeal read and approved.

Answer of the Governor and Council of Antigua to Charles Henderson's petition read. Agreed that the matter be heard within eight months.

Extracts of several letters from Captains Allen and Crofts read (*see No.* 1,507I.). Copies to be sent to Lord Howard of Effingham.

Sir Edmund Andros's letter of 28 September last read. [*Col. Entry Bk., Vol. CIX., pp.* 116-118.]

Dec. 1. Whitehall. **1,541.** Memorandum of Lords of Trade and Plantations. On the petition of Margaret Henderson, agreed to order John Gunthrop to attend the committee if he be arrived in England, or if not to appoint a hearing of the matter within eight months. [*Col. Entry Bk., Vol. XLVII., pp.* 283, 284.]

[Dec. 1.] **1,542.** Petition and reply of Margaret Henderson to Lords of Trade and Plantations. Recounts the original story of Archibald Henderson's case (*see No.* 604I.), and continues:—I went to Antigua myself in 1684 to recover my brother's plantation, but was foiled by the packing of juries and other irregular practices. It is owned that my brother was arbitrarily banished without indictment or conviction, a thing unknown in England, but no depositions as to the crimes for which he was banished have been furnished to you. It is owned, too, that he had not forfeited the plantation, since he had left an attorney with power to sell it. It is said that the plantation afterwards became forfeited because it lay so long unimproved; but surely when people expressly put it out of Henderson's power to improve it, it is hard that it should be forfeited. I beg the restoration of the plantation to my son as my brother's representative. 3½ *pp. Endorsed.* Read 1 Dec. 87. [*Col. Papers, Vol. LXI., No.* 80, *and Col. Entry Bk., Vol. XLVII., pp.* 280-283.]

Dec. 1-11. **1,543.** Instrument for preventing acts of hostility between the English and French in America until 1-11 January, 1688-9. *Signed,* Sunderland, Middleton, Godolphin, Barillon d'Amoncourt, Dusson de Bonrepaux. *Printed in New York Documents III.,* 505. [*Col. Entry Bks., Vol. LXIX., pp.* 181-183, *and Vol. XXII., pp.* 136, 137, *and Vol. XXV., pp.* 79-83, *and Vol. C., pp.* 21-23.]

Dec. 1. **1,544.** Minutes of Council of Jamaica. Edward Broughton produced a deputation from the patentee of the clerkship of the Supreme Court, which was allowed. Order for payment of £72 to Ensign Bull, due for service done against rebellious negroes. Order for payment of a quarter's salary to the Governor, and for the audit of certain accounts. [*Col. Entry Bk., Vol. XXXVI., pp.* 176, 176A.]

Dec. 2. Whitehall. **1,545.** Order of the King in Council. Referring the petition of Philip Siveret, master of the ship Joanna, for the restoration of the ship, pending the decision of his case, to Lords of Trade and Plantations for report (*see No.* 1,492). *Signed,* Wm. Blathwayt. [*Col. Entry Bk., Vol. LXI., p.* 375.]

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Dec. 2. Whitehall. **1,546.** Order of the King in Council. Report of Lords of Trade and Plantations on the appeal of Dame Ayliff Rainsford against a decree of the Court of Chancery of Barbados. We recommend that the decree be reversed, and the money withheld from appellant be thereby restored. *Dated* 19 November 1687. Ordered accordingly. [*Col. Entry Bk., Vol. VII., pp.* 455, 456.]

Dec. 2. **1,547.** Minutes of Council of Maryland. James Heath produced a commission from Lord Baltimore as clerk of the Upper House of Assembly, and a letter of recommendation from his Lordship. Order for issue of military commissions to nine officers. [*Col. Entry Bk., Vol. LIV., pp.* 128-130.]

Dec. 2. Boston. **1,548.** Governor Sir Edmund Andros to the Earl of Sunderland. I have received a letter from Governor Dongan, copy enclosed, informing me of the French aggression, and asking me for troops, with copy of my reply. I shall endeavour to put the militia in as good order as possible, and should be glad to receive the King's instructions. *Signed,* E. Andros. 1¼ *pp. Endorsed.* Recd. 18 Jan. 87-8. *Enclosed,*

1,548. I. Governor Dongan to Governor Sir E. Andros, Albany, November 18, 1687. The French have built two forts on this side the lake and have invaded the King's territory without provocation. Please detect me two hundred of the youngest and lustiest of your militia, with good arms, and a hundred red coats, with fifty horse. If Connecticut be under your government, please order them to send me two hundred more, with fifty horse. I give the soldiers here the same pay as the King's. I have already made arrangements for the supply of provisions at fivepence a day per man. It will be for the King's service if you will see that money is sent for their provisions. *Copy.* 1 *p. Endorsed.* Recd. 18 Jan. 87-8.

1,548. II. Governor Sir E. Andros to Governor Dongan, Boston, 2 December 1687. I have received yours of 18th ult., and shall be ready to assist with the force for which you ask, or with any other that this Colony afford, against the King's enemies all times. Pray give me further information. *Copy. Endorsed as the preceding.* [*Col. Papers, Vol. LXI., Nos.* 81, 81I., II., *and (covering letter only), Col. Entry Bk., Vol. LVI., pp.* 372, 373.]

Dec. 2. **1,549.** Minutes of Council of New England. Governor Dongan's letter of 18th ult. asking for soldiers read. An answer to be written promising him assistance. [*Col. Entry Bk., Vol. LXIV., pp.* 161, 162.]

Dec. 3-13. **1,550.** Memorial of the French Commissioners. We propose to agree with the English Commissioners on a written engagement, whereby all acts of violence shall cease till the boundaries can be settled; but there is the matter of the Iroquois to be cleared up, on which we offer as follows. The Indians acknowledged the dominion of the French in 1604 and 1610 when those countries

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were annexed by Sieur Champlain; and in 1665 and 1666 all the Iroquois placed themselves under the French King's protection by treaty with M. de Tracy. They revolted shortly after, but were reduced, and M. de Tracy retook their lands and forts. There is due record of this. These documents are supported by forts erected by the French, so an English treaty of 1684 cannot be pleaded against the ancient rights of the French. The matter is really settled by the Treaty of Neutrality of 16-26 November 1686. It was not then pretended that the Iroquois were British subjects. *Signed*, Barillon, Dusson de Bonrepaux. *French. Translated in New York Documents III.*, 507. [*Col. Entry Bk., Vol. LXIX., pp.* 169-172.]

Dec. 4. Whitehall. **1,551.** The King to Governor Lord Howard of Effingham. Ordering the appointment of William Byrd as auditor of Virginia in place of Nathaniel Bacon, resigned. *Countersigned*, Bellasis, J. Ernle, H. Fox, Godolphin. [*Col. Entry Bk., Vol. LXXXIII., pp.* 179, 180.]

Dec. 6. **1,552.** Minutes of Council of Barbados. Richard Salter sworn of the Council. Order for writs for the election of an Assembly. Colonel Thomas Lewis sworn of the Council. [*Col. Entry Bk., Vol. XII., pp.* 65, 66.]

Dec. 6. **1,553.** Lieutenant Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the Council's proceedings and of imports. *Signed*, Edwyn Stede, Th. Walrond, Fra. Bond, John Farmer, John Gibbes, John Hallett, Richard Harwood. [*Col. Entry Bk., Vol. VII., pp.* 457, 458.]

Dec. 6. Whitehall. **1,554.** The King to Lieutenant Governor Stede. Ordering that Quakers shall not be molested for their worship, that they shall be admitted to all offices without taking an oath, and that no fine be imposed on them for neglect of military service exceeding the price of the hire of a substitute. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. VII., p.* 459.]

Dec. 7. Jamaica. **1,555.** Lieutenant Governor Molesworth to William Blathwayt. By the last ships arrived one Mr. James Wall, with a deputation from Lord Rochester as Postmaster of the island, in virtue of which he stopped all the letters that came by the ship, and charged the merchants sevenpence halfpenny for every one and proportionately for packets, and this without first acquainting me of his intention. Afterwards he shewed me his deputation, and asked me for an order to that purpose, which I refused, as he was an officer of an office not established, and as to which I had no instructions, though I offered to summon the Council to hear what he might have to say. The merchants at the same time petitioned against him for having illegally taken their money, offering several reasons against the office itself, which will be laid before you. The report that the Duke of Albemarle had a patent for the wreck was likely to have prevented the coming in of most of the sloops. The men were refractory, and would have forced the masters to share at some of the uninhabited islands, but through the prudence and management of the commissioners

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whom I had appointed for the purpose, they came dropping in one after another, though many of the masters had trouble enough with their men. At last Council Mr. James Wall, who said that he had seen the Duke's patent for the wreck, was examined about it, and said that he had seen the rough draft. The Council accordingly agreed to make a proclamation to check the hot pursuit of the wreckers.

One George Lenham, who was sent with my commission after pirates, heard at Providence of some who had burnt their ship and raised a fort of eight guns on a neighbouring island for their security. He accordingly sailed thither, beat them out of it, and brought off the men with their goods, and three or four Portuguese negroes, who were the only witnesses that could be produced against them. It appeared from their account that they had taken a Portuguese ship off the coast of Brazil, and on this evidence the men were condemned. Though pardon had been promised, not one of them singly would make the least confession. At last the pardon was offered to all, when it appeared that they belonged to three sloops, which left Carolina in company, with the resolution to take some good ship and sail with her to the South Seas. At last they got a Dutch vessel of good force, with which they took another, and sailed away south, but were beaten back by foul weather at Magellan's strait, and forced into Providence. There they burnt their ship (as Woollerly had done before them), and hearing of the proclamation for pardon of pirates were intending to go to New England. Their spoil was condemned, though it was of little value; an account will be sent to you of it. I hear that Captain Spragge has been forced through the Gulf by a gale, and driven to Virginia. *Signed*, Hder. Molesworth. [*Col. Entry Bk., Vol. XXXII., pp.* 68-74.]

Dec. 7. **1,556**. The secretary of Jamaica to William Blathwayt. Forwarding duplicate minutes of Council and patents for land granted. *Signed*, F. Hickman. 1 *p. Endorsed.* Recd. 21 Jan. 87-8. [*Col. Papers, Vol. LXI., No.* 82.]

Dec. 8. **1,557**. Minutes of Council of Maryland. Order for cancelling the appointments of all sub-rangers, and for all such as held the office to cease their duties till they shall have received re-appointment from the chief rangers. [*Col. Entry Bk., Vol. LIV., p.* 131.]

[Dec. 9.] **1,558**. The case of Charles Henderson, infant and heir of Archibald Henderson. A repetition of the matter set forth in previous memorials. 1¼ *pp. Endorsed.* Recd. 9 December 1687. [*Col. Papers, Vol. LXI., No.* 83.]

Dec. 13. **1,559**. Instructions to Matthew Plowman as collector and receiver of New York. *Printed in New York Documents III.*, 501. [*Col. Entry Bk., Vol. LXIX., pp.* 140-146.]

Dec. 14. **1,560**. Journal of Lords of Trade and Plantations. Appeal of Richard Scott heard and dismissed.

Draft letter to Lord Howard of Effingham, forwarding the letters of Captains Allen and Crofts approved.

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Petition of Philip Siveret, of the ship Joanna, referred to Commissioners of Customs for their opinion.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 119-122.]

Dec. 15. **1,561.** Lords of Trade and Plantations to Governor Lord Howard of Effingham. Forwarding the extracts of letters from Captains Allen and Crofts against him for his vindication. *Signed,* Jeffreys, Craven, Middleton. [*Col. Entry Bk., Vol. LXXXIII., pp.* 177, 178.]

[Dec. 15.] **1,562.** "The case of Richard Scott against Samuel Dyer, to be heard in Council on appeal from Barbados." A précis drawn up for the use of the Lords of Trade and Plantations, with marginal notes scribbled in another hand. *Large sheet. Endorsed.* [*Col. Papers, Vol. LXI., No.* 84.]

Dec. 16. Whitehall. **1,563.** Order of the King in Council. Referring the petition and appeal of Sir Timothy Thornhill to Lords of Trade and Plantations for their report. *Signed,* William Blathwayt. ½ *p. Annexed,*

1,563. i. Petition of Sir Timothy Thornhill to the King and Lords of Trade and Plantations. Recounting the story of his quarrel with Richard Harwood and his trial for using treasonable language, which he denies that he ever uttered; and adding that he was tried by jurors to whom he objected, and that Harwood, who was the prosecutor, also sat as judge. Asks for an examination of the case, and a reversal of judgment. *Copy.* 3 *pp. The whole endorsed.* Recd. 21 Jan. 87-8. [*Col. Papers, Vol. LXI., No.* 85, *and (order only), Col. Entry Bk., Vol. VII., p.* 439.]

Dec. 16. Whitehall. **1,564.** Order of the King in Council. Report of Lords of Trade and Plantations. Recommending the dismissal of the appeal of Richard Scot against Samuel Dyer, but that Dyer shall refund a sum of money which he confesses to have taken, over and above his due. *Dated* 15 December 1687. Ordered accordingly. [*Col. Entry Bk., Vol. VII., pp.* 456, 457.]

Dec. **1,565.** Petition of Richard Scott to Lords of Trade and Plantations. You were pleased to relieve me in the matter of my appeal from the Court of Chancery of Barbados, but have made me no allowance for costs. I beg that I may be allowed something at least for the security that I was forced to pay into the Courts at Barbados. 1 *p. Annexed,*

1,565. i. Account of the money paid by Richard Scott to the registrar for costs, £260. 1 *p.* [*Col. Papers, Vol. LXI., Nos.* 86, 86i.]

Dec. 18-28. Quebec. **1,566.** Governor de Denonville to Governor Dongan. I have received your letters of 31 October and 10 November on the 3rd inst. by Major Macgregory. I am glad to see your good disposition towards friendly correspondence between us. I have already told you that the great design of the King my master in this

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country is the conversion of infidels and to unite all these poor, barbarous people in the bosom of the Church. Can you believe that the King your master, who has done so much for religion in his own dominions, can contradict my master in his pious designs? They cannot be contrary to his interests; and the Treaty of Neutrality lays down that the two Kings shall reciprocally abandon savages who war against the subjects of either of them. I shall leave the justice of the dependence of the Five Nations to be regulated by our masters, and accept your offers in your letter of 31 October, assuring you that I never made war but against my will, and wish to restore peace in the country, a good understanding between us, and the establishment of religion. You ask me to send you a messenger to treat, and I do not think I can send a more acceptable person than Father Vaillant, Jesuit, who is not unknown to you. He knows what is necessary for the encouragement of religion, and is fully instructed of my intentions. I shall gladly ratify all that he concludes with you. Though I know you are not ignorant of French I have sent with him M. Dumont, who speaks English. I need not say that I do not question but that you will give them a safe return. *Signed*, Le M. de Denonville. *Copy.* 3¼ *pp.* *Endorsed*, Recd. 28 May 88. *Printed in New York Documents III.*, 517. [*Col. Papers, Vol. LXI., No.* 87.]

Dec. 19.
Jamaica.

1,567. Governor, the Duke of Albemarle to Lords of Trade and Plantations. I arrived here this morning, and, in the hope that it will not be troublesome to you, give you the following account of the voyage. We left Spithead Sept. 12, were forced back to St. Helens on the 13th, left it again on the 19th, anchored in Plymouth Sound in a storm from the S.S.E. on the 21st, left it October 5th, and anchored in Madeira road the 21st. We left Madeira on the 25th, and on November 25th anchored in Carlisle Bay, Barbados, where I was extremely kindly received by all the gentlemen of the country except the Deputy Governor, who was confined by illness, but none the less shewed me great civility, treating me all the while I was there. I found him a very good man and wholly devoted to the King's service. When I first went ashore I found the militia of Bridgetown drawn out, both horse and foot in very good order, and I reviewed the rest of the militia at different places and times, under my commission, as could most conveniently be done. I found them, for militia, very good men, and indifferently well disciplined, and seeing them very willing to learn, left them the best instructions I could for their improvement. I left Barbados on the 5th December, anchored in Nevis Roads and went ashore, but did not meet Sir Nathaniel Johnson, who had been absent five weeks in other parts of the Government. I find the militia very ill, both as to men and arms, most of them being boys. The excuse was that their best men had gone to the wreck. The forts are in fairly good order. On the 11th I left Nevis for St. Christopher's, and landed there the same day. I found the two regular companies in very good order, and the militia very good men and well disciplined. Colonel Hill entertained me very kindly, and the same evening I set

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sail, arriving here on the 19th at Port Royal. Next day I went ashore, and was most kindly received by the Lieutenant Governor and Council. I reviewed the regiment at Port Royal, which is in pretty good order, but will soon be better, the men being good and willing to learn. The castle and forts are something out of order at present, but I purpose speedily to repair them. Thence I went to Spanish Town, where I found the King's house, as at Port Royal, in so ill a state as to be unfit for any private person. I am therefore obliged to rent the Lieutenant Governor's house and another at Port Royal. Everything is so dear that I hope my suggestion for the rebuilding of the King's houses will not be thought unreasonable. From New York we hear that Colonel Dongan has received a letter from the Governor of Canada saying that he hoped to keep Christmas with him, and refusing to restore Major Macgregory and the other prisoners formerly taken by them on their tour of discovery. Whereupon Colonel Dongan had raised what forces he could, horse and foot, and marched on the 3rd November from New York to Albany, all the neighbouring forces of the province having orders to join him at Sanicetead [Schenectady]. The Senecas and Maquas are with Colonel Dongan, and have had several disputes with the French, killing several of them. There are many French prisoners in Albany, and since Colonel Dongan's march the French have released the English prisoners. There has been some suspicion of a rising of negroes since my arrival. Three have been severely whipped, and two of them are also to be transported. *Signed*, Albemarle. P.S. I have written to tell you that the whole Council have asked me to recommend the re-admission of Sir Henry Morgan to the Council, which I earnestly do. *Two closely written pages. Endorsed.* Recd. 16 March. Read 10 April 88. [*Col. Papers, Vol. LXI., No.* 88, *and Col. Entry Bk., Vol. XXXII., pp.* 74-80.]

Dec. 19. **1,568.** Minutes of Council of New England. Orders confirming sundry grants of land to Joseph Dudley, William Stoughton and others.

Dec. 20. The bills declaring the laws passed by the Governor and Council in Connecticut to be in force, and the bill for enlarging the jurisdiction of the inferior courts ordered to be blended into one.

Dec. 21. The two bills, made into one, were read.

Dec. 23. Petition of Robert Orchard complaining against the late Government of Massachusetts. The case to be recommended to the judges of the several Courts. [*Col. Entry Bk., Vol. LXIV., pp.* 162-166.]

Dec. 20. **1,569.** Minutes of Council of Jamaica. The Duke of Albemarle's commission was read, and he was sworn in as Governor. The Council also took the oaths. Order for a proclamation continuing all officers in their posts. The Duke communicated his instructions respecting the suspended Councillors. It was arranged that Sir Henry Morgan and Colonel Ivy should be heard on Friday 24th. [*Col. Entry Bk., Vol. XXXVI., pp.* 177, 177A.]

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Dec. 20. Whitehall. **1,570.** The King to Lieutenant Governor Stede. Directing Benjamin Skutt to be sworn of the Council of Barbados. [*Col. Entry Bk., Vol. VII., p.* 435.]

Dec. 21-31. **1,571.** The French Ambassador to the King. Since the outrage committed by the captain of the Mary Rose, the King my master has received letters from the Governor of Martinique. I am ordered to ask reparation for the matters therein reported. Mess. de Blenac and de Maits write that they have punctually observed the Treaty of Neutrality, but that the English Governors have not. They report that though in accordance with the 10th article they have restored all the English residents and slaves who had gone to the French islands, yet the English Governors have sent the French runaways and slaves who took refuge with them to New York and other places in North America. I am to beg your orders to prohibit such dealings in future, and to enjoin punctual execution of the treaty. *Signed,* Barillon. *French.* 2 *pp. Endorsed.* Recd. 26 Apr. 1688. *Annexed,*

1,571. I. Extract from a letter from Count de Blenac to the King. The Governor of Barbados, apparently unaware that the royal orders had been issued as to the Treaty of Neutrality, sent me a ship express with copy of the Treaty in March. Nevertheless, at the beginning of May the English man-of-war Mary Rose returned to Dominica from Barbados, disturbed the French in their workshops, carried off some of their goods, and took some of them prisoners. They also seized a ship which had gone there for wood for a voyage to Europe, and committed certain acts of hostility against the Caribs, though negotiating with some of them. Other of the Caribs, unaware of these negotiations, attacked the English on shore, whereupon the ship sailed back to Barbados. The Governor of Barbados always upholds and excuses the actions of the captain of the Mary Rose, alleging that the French, who were actually on board the ship at Dominica, acted with the Caribs in their attack upon the English; a position which cannot be proved and can hardly be seriously advanced. According to the treaty the French Governors have orders to restore all English runaways, white and black, to St. Christopher's, Antigua and Montserrat, and this has actually been done. But when we claimed French runaways from the French portion of St. Christopher's and from Guadeloupe, we found that they had been sent to New York. *Dated,* St. Pierre, Martinique, 17 September 1687. *French.* 2½ *pp. Endorsed.* Recd. 26 Apr. 88. [*Col. Papers, Vol. LXI., Nos.* 89, 89I.]

Dec. 21. **1,572.** Warrant for the Seal of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 181-182.]

Dec. 21. **1,573.** Colonel William Byrd's receipt for the Seal of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 182, 183.]

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Dec. 21.
Virginia.

1,574. Governor Lord Howard of Effingham to the Earl of Sunderland. I wrote from New York of the serious consequences that might ensue should the French succeed in transferring the Senecas from the Government of New York to that of Canada, and that I was confident that the Council here would represent the matter to the King. I now enclose the statement of their views. I take this opportunity to crowd in a petition of my own that I may come home this spring come twelvemonth on a year's leave. I dare not own that anything of my private concerns, the disposal of my children, and the settlement of my affairs, has a share in this petition, for these must give way to the King's service, but my private affairs do much require my further care. If leave be granted, I beg instructions as to the settlement of the Government here. I should prefer to see it vested in the Council, with the senior Councillor to preside, rather than in any specially commissionated Deputy Governor. *Signed*, Effingham. *Holograph.* 2 *pp.* *Endorsed.* Recd. 19 March. Read 10 April 1687-8. *Annexed*,

1,574. I. Extract from minutes of Council of Virginia, Oct. 21, 1687. The Governor acquainted the Council that he had used his visit to New York to endeavour to recover the prisoners carried off from Virginia by the Seneca Indians, and had renewed the former treaty with the Senecas, much to the honour and satisfaction of the English. The Council ventured to represent to the King that nothing can be more vital to the future prosperity of Virginia than the preservation of this peace with the Senecas. This can only be attained by the maintenance of those Indians under the influence and protection of the Government of New York. If the French succeed in reducing them by force under the Government of Canada, the consequences will be most serious to Virginia. *Signed*, Nicho. Spencer. 3 *pp.* [*Col. Papers, Vol. LXI., Nos.* 90, 90I., *and (without enclosures), Col. Entry Bk., Vol. LXXXIII., pp.* 195-198.]

Dec. 22.

1,575. Governor Lord Howard of Effingham to the King. An extremely fulsome letter requesting leave of absence (*see No.* 1,574), the great object of the said leave of absence being "to behold your Majesty's gracious face," and suggesting the vesting of the Government in the Council, presided over by the senior member. *Signed*, Effingham. *Holograph.* 2 *pp.* *Endorsed.* Recd. 19 March 1687-8. [*Col. Papers, Vol. LXI., No.* 91.]

Dec. 22.

1,576. Minutes of Council of Jamaica. Colonel Nedham reported a suspected rebellion of negroes. The matter was referred to a committee of Council, as were also certain other affairs. William Chapman shewed his patent for the clerkship of the Crown, which was allowed. The Council explained their proclamation of 6 July as to wrecks. Order for removal of a bridge over the place where the King's ships careen. Adjourned till Monday 2 January 1688. [*Col. Entry Bk., Vol. XXXVI., pp.* 169A, 170.]

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Dec. 26. **1,577.** "Entries from the wreck, in the Naval Office" since the Duke of Albemarle's arrival (*see No.* 1,555). Eleven sloops in all entered from Dec. 22 to Dec. 26, with plate, etc., to the value of 5,995 dollars. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LXI., No.* 92.]

Dec. 27. **1,578.** Minutes of Council of New England. Bill as to the laws in Connecticut and for settling courts read. Ordered that the superior Courts in Essex be reduced to two circuits in the year. Bill amended accordingly.

Dec. 29. The bill thus amended passed. [*Col. Entry Bk., Vol. LXIV., pp.* 167, 168.]

Dec. 31. **1,579.** Minutes of Council of Maryland. Thomas Clegatt appointed Coroner of Calvert County. John Craycroft discharged from being a coroner and Ignatius Craycroft appointed in his stead. [*Col. Entry Bk., Vol. LIV., p.* 132.]

1,580. "The case of the ship Swallow, seized at Jamaica by Captain Talbot." The appeal of Captain Talbot against the judgment of the Court in Jamaica on this case was allowed by the Lords of Trade and referred to the Commissioners of Customs, who have reported thereon (*see No.* 1,212). Query 1. Will not such an order as that suggested by the Commissioners of Customs destroy the logwood trade, since other ships, that are undisputably free, will hardly venture in it? 2. By what law is any ship, English or other, hindered from carrying logwood from Honduras to foreign parts, as they will be forced to do if so severely handled at Jamaica. 2 *pp.* *Endorsed.* [*Col. Papers, Vol. LXI., No.* 93.]

Jamaica. **1,581.** Quarterly returns of goods imported, 1686 and 1687. [*Col. Entry Bk., Vol. XXXIII.*]

1,582. List of stores of war at New York. *Signed,* Ger. Baxter. *Long sheet.* [*Col. Papers, Vol. LXI., No.* 94.]

1,583. Quarterly returns of imports and shipping from the Naval Office of New England. [*Col. Entry Bk., Vol. LXIII.*]

1,584. Acts of Barbados.

Act for an impost on imported liquors. *pp.* 173-178. Passed Feb. 23.

Act to continue sundry expiring Acts. *pp.* 191, 192. Passed 17 May.

A second Act for the same. *p.* 193. Passed 20 October.

Act appointing a committee to revise the laws. *p.* 198. Passed 12 July.

Act to levy a duty on shipping. *pp.* 199-207. Passed 12 July.

Act for making a present to the Governor. *p.* 211. Passed 12 July. [*Col. Entry Bk., Vol. XVI., pp.* 173-211.]

1,585. Quarterly returns of goods imported into Barbados. [*Col. Entry Bk., Vol. X.*]

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1,586. Petition of the Council, and Assembly and inhabitants of Montserrat to Governor Sir Nathaniel Johnson. For years past we have groaned under the exactions of unreasonable and oppressive fees by the secretary and marshal. We have hitherto sought redress in vain, until you passed an order in Council for regulating of their fees. We now beg you to send to England, for confirmation, an Act for the establishment of the fees of the marshal and secretary, an Act for relief of prisoners, and an Act to remove excessive charges upon warrants of execution upon negroes, horses, and cattle. We doubt whether the present joint secretary and marshal may not write to Sir James Cotter, the patentee, to hinder the confirmation of these Acts. We beg you therefore not only to move the King to confirm the Acts, but to write to Sir James Cotter, that we are so far from desiring to diminish his profits that we are ready to make him an annual payment equal to that paid him by his deputies, if he will allow us to appoint our own officers to these posts. We beg also that the secretary and marshal be allowed to take no fees other than those on the establishment, until the King's pleasure be known. *Large sheet. Endorsed.* Recd. 4 May 88 from Sir N. Johnson. [*Col. Papers, Vol. LXI., No.* 95.]

1,587. A general account of the bullion and coined money brought from the wreck on the banks of Ambrosia. Total value, £10,782. The King's share, £988. 1 *p. Endorsed.* [*Col. Papers, Vol. LXI., No.* 96.]

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Jan. 3. **1,588.** Minutes of Council of Barbados. List of members returned to the Assembly. Judge Foster elected speaker, to whom the Lieutenant Governor commended the consideration of the delay and the wants of the country, the collection of the laws, the continuance of certain expiring Acts, and the law against swearing and drunkenness. A joint committee appointed to consider the wants of the island. [*Col. Entry Bk., Vol. XII., pp.* 66-68.]

Jan. 3. **1,589.** Minutes of Council of New York. Order for a ship to cruise off Long Island for the protection of whale-oil exported from the Government. [*Col. Entry Bk., Vol. LXXV., p.* 11.]

Jan. 4. Jamaica. **1,590.** Clerk of Council of Jamaica to William Blathwayt. I forward duplicates of the minutes of Council last transmitted. The minutes since the Duke of Albemarle's arrival you will receive from his secretary. *Signed,* F. Hickman. 1 *p. Endorsed.* [*Col. Papers, Vol. LXII., No.* 1.]

Jan. 7. **1,591.** Minutes of Council of New York. Order for arrest of Samuel Eborne at suit of Richard Smith. Order for payment of the sloop cruising to protect the whale oil.

Jan. 8. Order for pressing a sloop to salve a stranded ship. [*Col. Entry Bk., Vol. LXXV., pp.* 11-13.]

Jan. 10. **1,592.** William Blathwayt to Henry Guy. Forwarding the petition of Philip Siveret for report of the Lords of the Treasury. ½ *p.* [*Col. Papers, Vol. LXII., No.* 2.]

Jan. 13. **1,593.** Minutes of Council of Jamaica. The Duke of Albemarle communicated his instructions. Those referring to pirates' goods, to a donation in St. Andrew's parish, to the petition of Matthew Meverell and Abraham Gill, to James Littleton, to Sarah Harrison, to be made over to a committee. Orders, for colonels of regiments to give an account of ammunition, for the naval officer to furnish his accounts quarterly, and for certain payments. [*Col. Entry Bk., Vol. XXXVI., pp.* 179-181.]

Jan. 13. Whitehall. **1,594.** Order of the King in Council. Referring the petition of Thomas, Lord Culpeper, and others to Lords of Trade and Plantations for report. *Signed,* Wm. Bridgeman. ½ *p. Endorsed.* Recd. 6 Feb. 87-8. *Enclosed,*

1,594. I. Petition of Thomas, Lord Culpeper, and others to the King. We claim title to all such part of the Narragansett and Niantic countries as was not sold before by the Indian Sachems, and to be owners not only by purchase but by deed. We have been labouring at great expense to establish a settlement of French there, but have met with much obstruction. We beg for instructions to the Governor of New England to grant us patents for such land, not exceeding 60,000 acres, as we shall choose to have surveyed at our own cost, that the French plantation shall be part of the land, and that we may have the benefit of the adjacent waste lands till they are disposed of. 1½ *pp.* [*Col. Papers, Vol. LXII., No.* 3, *and Col. Entry Bk., Vol. LXII., pp.* 1, 2.]

Jan. 14. Treasury Chambers. **1,595.** Henry Guy to Commissioners of Customs. Referring to them the order in Council of 2 December 1687 by which the petition of Philip Siveret is referred to the Lords of Trade and Plantations. *This minute is written beneath the order in Council. The whole* 1 *p. Annexed,*

1,595. I. Petition of Philip Siveret to the King. For the restitution of his ship and cargo, confiscated by John Palmer at Penobscot. 1 *p.* [*Col. Papers, Vol. LXII., Nos.* 4, 4I.]

Jan. 19. Custom House. **1,596.** Commissioners of Customs to Lords of the Treasury. On the petition of Philip Siveret *(see preceding abstract)*, the enquiry into the matter ordered by the King will necessarily take up much time, and meanwhile the ship will be rotting and will be totally spoiled. We think that if the petitioner give security for the value of the ship, and to abide by the order of the King or of a Court of Justice, his ship may be delivered to him. *Signed,* N. Butler, Will. Culliford, D. North, Jo. Werden. 1½ *pp. Endorsed.* Recd. 20 Jan. Read 25 Jan. 1687-8. [*Col. Papers, Vol. LXII., No.* 5, *and Col. Entry Bk., Vol. LXI., p.* 376.]

Jan. 19. Bermuda. **1,597.** Henry Hordesnell to Lords of Trade and Plantations. We arrived here 15th inst. I was received into the office of Chief Justice yesterday, and shall order an assize about the beginning of next March, before which time I think the country cannot be ready. So far as I can see, one or two assizes will settle the place in such a method that it will not want a judge again in seven years; for once moving according to the laws of England they will be able to decide disputes for themselves, so that the King need not be at the expense of a judge constantly at this place. If I think it necessary for his service I shall willingly stay, and I beg you to move him to give me some sure salary, so that I can support his honour in my station. I can give you no further news as to the wreck. *Signed,* H. Hordesnell. 1 *p. Endorsed.* Recd. 4 May 88. [*Col. Papers, Vol. LXII., No.* 6, *and Col. Entry Bk., Vol. XVIII., pp.* 151, 152.]

Jan. 21. **1,598.** Minutes of Council of Jamaica. Samuel Barry sworn of the Council. His Grace asked the advice of the Council: (1) As to pirates. (2) As to injuries from neighbouring powers, on which the Attorney General was ordered to report. (3) As to trade in general. (4) As to the Spanish trade. Hereon the Council decided that it would be advantageous if effected. (5)

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As to logwood cutting. (6) As to the fisheries at the South Cays. Hereon the Attorney General was ordered to report. (7) As to granting passes to trading ships. The Duke proposed that masters should give security for their good behaviour while absent, and for their return within a certain time, but the Board objected that this would be ruinous to trade; and the matter was referred to the Attorney General. (8) As to the Guanaboa rebellion. Extracts from the minutes of Council were ordered to be taken. Ordered that the Attorney General and clerk of the Council report on all these matters. The consideration of light coin referred to the Attorney General and Chief Justice. Order for an embargo on all sloops. [*Col. Entry Bk., Vol. XXXVI., pp.* 181, 182.]

Jan. 21. **1,599.** Bond given by Joseph Buckley, of the ketch Gabriel, on clearing for the plantations. *Copy.* ½ *p. Endorsed.* [*Col. Papers, Vol. LXII., No.* 7.]

Jan. 22. **1,600.** Circular. The King to the Governors of the Colonies. Announcing the cessation of hostilities with France to the 1-11 January, 1688-9. [*Col. Entry Bk., Vol. C., pp.* 20, 21.]

To the Governor of Leeward Islands. [*Col. Entry Bk., Vol. XLVIII., pp.* 285, 286.]

To the Governor of Bermuda. [*Col. Entry Bk., Vol. XVIII., pp.* 143-145.]

To the Governor of New England. [*Col. Entry Bk., Vol. LXI., p.* 378.]

To the Governor of New York. [*Col. Entry Bk., Vol. LXIX., pp.* 179-181.]

To the Governor of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 190-192.]

To the Proprietors of Carolina. [*Col. Entry Bk., Vol. XXII., p.* 136.]

Jan. 22. **1,601.** The King to the Governor of Maryland. A copy of the circular above abstracted, certified by Nic. Blakiston, 26 November 1689. [*Col. Papers, Vol. LXII., No.* 8.]

Jan. 22. Whitehall. **1,602.** Circular. The King to the Governors of the Colonies. Ordering the publication of the proclamation against pirates of 20 January, and that all assistance be given to Sir Robert Holmes in suppressing them, and in taking to himself the profits thereof, which have been granted to him. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. C., pp.* 17-19.]

To the Governor of Barbados. [*Col. Entry Bk., Vol. VII., pp.* 451, 452.]

To the Governor of Jamaica. [*Col. Entry Bk., Vol. XXXII., pp.* 63-67.]

To the Governor of Leeward Islands. [*Col. Entry Bk., Vol. XLVIII., pp.* 287, 288.]

To the Governor of Bermuda. [*Col. Entry Bk., Vol. XVIII., pp.* 145-148.]

To the Governor of New England. [*Col. Entry Bk., Vol. LXI., pp.* 379, 380.]

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To the Governor of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 187-189.]

To the Proprietors of Carolina. [*Col. Entry Bk., Vol. XXII., p.* 134.]

Jan. 23. **1,603.** Minutes of Council of New York. Samuel Eborne brought before Council, and the case dismissed in the costs. [*Col. Entry Bk., Vol. LXXV., pp.* 14, 15.]

Jan. 24. **1,604.** Minutes of Council of Barbados. Bill for a committee for public accounts brought up by the Assembly and passed. Committee to consider the wants of the island continued.

Jan. 25. Rebates of duty granted to sundry applicants. The King's title to ten acres of land in St. George's parish granted to Paul Lyte for £20. Order for publication of the proclamation against pirates, and for all silver taken out of wrecks and brought from Bermuda, to be left in the owners' hands, on their giving security to pay the King's moiety. [*Col. Entry Bk., Vol. XII., pp.* 69-72.]

Jan. 25. **1,605.** Minutes of Council of Jamaica. Orders for the embargo to be continued, and for sale of three galleys now lying in Port Royal. Petition of St. Jago del Castillo praying that four thousand pieces of eight, belonging to the Assiento, may be stopped, and not carried off the island. After some examination the matter was referred to the Judge of the Admiralty, and it was ordered that the money should be secured. [*Col. Entry Bk., Vol. XXXVI., pp.* 182-184A.]

Jan. 26. Barbados. **1,606.** Account of the plate brought by the ship Raven from the wreck. 974 pieces of eight, ten small broken pieces, weighing 831 ozs., one sow of 956 ozs., two plates and one drop 47½ ozs., one sow 738 ozs., one bar 646 ozs. The master swore that the King's moiety had been paid to Mr. Constable on the spot. *Signed,* John Hallett, Edwd. Cranfield. 1 *p. Endorsed.*

Duplicate of the foregoing. 1 *p.* [*Col. Papers, Vol. LXII., Nos.* 9, 10.]

Jan. 27. **1,607.** Journal of Lords of Trade and Plantations. The King ordered that all the Lords of the Privy Council should be a standing committee of the Board of Trade and Plantations. List of the members. (Sir Nicholas Butler and Edward Petre are two new names.) [*Col. Entry Bk., Vol. CIX., pp.* 123-125.]

Jan. 27. Whitehall. **1,608.** Order of the King in Council. Report of Lords of Trade and Plantations, dated 25 January, recommending that the ship Joanna be redelivered to Philip Siveret, on giving security to abide by any future orders that may be given in respect thereto. Ordered accordingly. *Signed,* Wm. Bridgeman. [*Col. Entry Bk., Vol. LXI., p.* 377.]

Jan. 27. **1,609.** Minutes of Council of Jamaica. The Attorney General presented his report on the several matters submitted to him. List of injuries and damages suffered from the French and Spaniards by the British subjects in Jamaica. Captain Smith, R.N., of H.M.S. Falcon, represented that he required provisions.

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The naval officer ordered to supply them. The naval officer represented that at the request of the Admiralty the Royal African Company had forbidden its factors to supply the King's ships with provisions, but that the ships were so ill supplied that they could not dispense therewith. The Governor undertook to represent the matter to the Lords of Trade. Report of the Attorney General on the Post office. The Postmaster ordered to attend next Council day. Report of the committee of Council on wreck-money. Order for a man guilty of piratical practices to surrender within three months or be declared a pirate. [*Col. Entry Bk., Vol. XXXVI., pp.* 184A-191.]

Jan. 28. Bermuda. **1,610.** Governor Sir Robert Robinson to William Blathwayt. I am busy settling the differences between Smailes and his antagonists. He was enlarged on 12 May last by order of myself and Council, we looking on the whole island as a confinement, though he lay under execution legally taken by a former court. His mishaps render him a very disloyal subject, and extremely obnoxious to civil government. It was his own obstinate humour that got him into all his trouble, through which he has also tried to ruin several persons of known worth and honesty here. His confinement quickened his invention, or rather knavery, so far, that he made a very long and tedious complaint against Colonel Cony and several others, and flung a charge of three thousand pounds at Deputy-sheriff Hubbard, though he never acted but by order of Colonel Cony or of the Court. However, the committee was forced to refer it to common law. His petition, on examination, proved to be quite false, and we now discover that he had no pretence to any estate. I should be glad to have orders what to do with him, that others may not be retarded by his false and malicious actions. In my opinion, so ill a man has not been heard of in the West Indies. Colonel Cony will attest this, and I shall send you several depositions on oath to the same effect. I enclose the account of the plate. *Signed,* Robt. Robinson. 1½ *pp.* *Endorsed,* Recd. 22 May. Read 14 June 88. [*Col. Papers, Vol. LXII., No.* 11, *and Col. Entry Bk., Vol. XVIII., pp.* 148-151.]

Jan. 28. **1,611.** Henry Hordesnell to Lords of Trade and Plantations. Some small sloops have arrived from the wreck since my last, but Sir John Narborough was there before them. I find it impossible to collect all the King's dues, Sir Robert Robinson taking only a tenth (besides what he extracted for himself), while the masters, believing that the King's dues had been paid, shared the rest with their men and dispersed the money in various purchases. I enclose an abstract of the account, by which you will see how much the King is defrauded. There are here twelve brass or copper guns taken by Sir Robert Robinson, none of them very serviceable, as part of the King's tenths. Every day I hold examinations, but am forced at great expense to employ a stranger to summon the justices, as the inhabitants are not to be trusted. I have met only one, a Quaker named Robinson, whom I can the least believe to be just. He would not pay the tenths to Sir Robert Robinson, nor be forced to pay him anything,

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but gave security to pay the King's dues. He has since paid £400 (according to local rates) as a full moiety to the King, freely and cheerfully, and I can find no one who can charge him with more. This poor Quaker is hated by all the rest for his honesty. Mr. Constable has discharged three or four men and given them receipts in full, but does not mention how much he received, nor will the masters tell. Altogether I suspect a combination against the King's profit, it being a maxim here that a man cannot get an estate by being honest. Provisions are dearer here than in London just now, and want of trade will ruin the place. Free trade granted to the inhabitants with all the King's dominions would much encourage them, and would increase the King's customs. There is little legal business here, most cases being simply brawling and quarrelsome matters, unworthy the notice of a judge or the expense to the King, for without a considerable salary a judge cannot support himself. *Signed,* H. Hordesnell. *Endorsed.* Recd. 22 May. Read 14 June 1688. *Annexed,*

1,611. I. Account of the bullion received from the wreck. Total, 11,582 lbs. Received for tenths, 1,388 lbs. Remains due to the King, 4,403 lbs. 1 *p.* *Endorsed.* Recd. 28 May 1688.

1,611. II. Duplicate of foregoing account. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LXII., Nos.* 12, 12I., II., *and (letter only), Col. Entry Bk., Vol. XVIII., pp.* 153-156.]

Jan. 28. Bermuda. **1,612.** Abstract of several depositions taken against James Smailes by the Governor, and Governor in Council, as to Smailes's drunken, mad and profligate habits. *Dated.* 1½ *pp.* *Endorsed.* Recd. 22 May 1688. [*Col. Papers, Vol. LXII., No.* 13.]

Jan. 31. Jamaica. **1,613.** Copy of recognizances taken from masters of vessels going to the west off Hispaniola. *Large sheet.* *Endorsed.* [*Col. Papers, Vol. LXII., No.* 14.]

1,614. Duplicate of the foregoing. 3 *pp.* [*Col. Papers, Vol. LXII., No.* 15.]

Feb. 1. **1,615.** Journal of Lords of Trade and Plantations. Draft commission for Sir Nathaniel Johnson for composing differences between English and French in St. Christopher's read and approved.

Report of Commissioners of Customs on the petition of Philip Siveret read. The Lords agreed on their report (*see No.* 1,608).

Sir Timothy Thornhill's appeal against a fine imposed on him in Barbados to be heard this day fortnight.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 126, 127.]

Feb. 2. **1,616.** Minutes of Council of New York. Thomas and Edward Stevens appeared before the Board on a charge of procuring an unlawful marriage, and were committed for trial. [*Col. Entry Bk., Vol. LXXV., pp.* 15, 16.]

Feb. 2. **1,617.** Minutes of Council of Virginia. Order for issue of writs for an Assembly, to meet on 19 April and pass a law to prohibit export of bulk tobacco. Government of Maryland to be

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apprised. The King's order for the displacement of Colonel Ludwell and the admission of Colonel Atherton to the Council read. An address to be preferred to the King on the declaration of indulgence; Colonel Armestead to be recommended to the King as a Councillor; pirates to be received according to the royal orders. Captain Simon Rowe's letter as to seizure of a pirate at Accomack, and complaining of the mismanagement of Colonel Custis, read. Colonel Custis to give an account of the proceeding. The complaints of Captain Crofts against the Governor examined. Captain Allen and others testified that the Governor had always given all possible encouragement to the King's officers. [*Col. Entry Bk., Vol. LXXXIV., pp.* 263-274.]

Feb. 2. Virginia. **1,618.** Extract from the minutes of Council of Virginia. Considering the great distance of the residences of many of the Council, of the infirmities of others, and the death of Colonel Bridger, a member of Council, the Governor was requested to recommend the appointment of a new Councillor, and chose John Armestead. *Copy.* 1 *p.* [*Col. Papers, Vol. LXII., No.* 16.]

Feb. 3. **1,619.** Minutes of Council of Jamaica. The business of the Post office considered. His Grace asked to establish it. Mr. Wenbourne's business about the patent for fairs and markets considered. [*Col. Entry Bk., Vol. XXXVI., pp.* 192, 193.]

Feb. 3. Treasury Chambers. **1,620.** Memorial concerning his Majesty's land in Bermuda. King Charles II. ordered the Bermuda Company to certify as to the estate of the regicides in Bermuda, and declared his intention to make them over to Mr. H. Killigrew and Mr. Dungan. The company certified twenty-two shares, whereupon Sir George Waterman asked Killigrew to let him have the refusal of the land, and paid eighty broad pieces of gold, which Killigrew gave bond to repay if he did not make over the land. The Company put Sir George in immediate possession of the land, which he enjoyed to his death on these terms, and then bequeathed to his daughters. The daughters pretend to sell the land to one Woden, another favourite of the company, who, on the dissolution of the company, came to the Treasury for a grant of the land, but found that it was brought in there as a discovery, and the matter was transferred to the Privy Seal, when, after enquiry, the grant was laid aside as unfit to pass. But under a new Lord Privy Seal, who knew not that Woden's proceedings had been stopped, it passed on to the Great Seal, and Woden brought his action in Bermuda for these shares and for certain others. The King being thus deceived both in the title and quantity of the land, the grant is void. The fourth part of the Company's land, which was set apart for the maintenance of the Government, is now also vested in the King. *Written below.* A reference of the memorial to William Blathwayt for his report and opinion. *Signed,* Hen. Guy. 2 *pp. Endorsed.* [*Col. Papers, Vol. LXII., No.* 17.]

Feb. 4. **1,621.** Minutes of Council of Maryland. A new proclamation to be issued as to towns, and the people to be told that Lord Baltimore will be in the county next fall to see that the act for

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advancement of towns is strictly enforced. [*Col. Entry Bk., Vol. LIV., pp.* 133-135.]

Feb. 9. **1,622.** Minutes of Council of Nevis. The Governor proposed to the Council that the fortifications be put in repair. Orders for the precedence of the Council to remain unaltered, for summoning Captain John Ansell before the Council, and for the laying of the platforms at the Old Road. Agreed to appoint a committee of public accounts. [*Col. Entry Bk., Vol. XLVIII., pp.* 163-165, *and pp.* 219-221.]

Feb. 10. Whitehall. **1,623.** Order of the King in Council. Referring the petition of Lieutenant Governor Hill of St. Christopher's, asking leave to accept from the inhabitants a present of 48,000 lbs. of muscovado sugar, to Lords of Trade and Plantations for report. *Signed,* John Nicholas. ½ *p.* [*Col. Papers, Vol. LXII., No.* 18, *and Col. Entry Bk., Vol. XLVII., p.* 293.]

Feb. 11. Jamaica. **1,624.** Governor the Duke of Albemarle to Lords of Trade and Plantations. I think it will be truly necessary for the King's service to have always a considerable number of members of Council resident in the island. Sir Charles Modyford is dead, Colonel Cope is sick beyond hope of recovery, and sickness and other accidents have prevented several from attending, insomuch that once we had not members enough present to make a quorum, and the Council had to be postponed. Several times only the bare number of five has appeared, and that after long waiting. I hope that you have approved of Sir Henry Morgan and have represented him to the King as a fit man for the Council here, for the Council have recommended him to me as I have already told you. I also recommend Colonel Needham as in every way qualified, and hope by next return to have the King's consent to the admittance of both. I have not yet made any great alteration in the offices of this island, as I wish first to be satisfied that I shall improve them. Vessels have come in from the wreck since my arrival, and I have taken security from them for the payment of the King's moiety. Some Indians known by the name of "Musketa" Indians (whose country is called Cape Gratias de Dios, in latitude 15° 20′ or thereabouts) have been here with me and have told me that they became subjects of King Charles I. and that they earnestly desired the King's protection or they must fall under the French or Dutch. I am told that the pirates Yankey and Jacobs have fallen upon a great Spanish ship in the bay of Honduras called the Hulke, and that they had been in sight of her twelve hours. If Yankey failed in this attempt he is ruined, for it is said that he was very ill provided before. Had I the honour of pardoning pirates, which formerly was usual here, I could have done the King good service. The Spaniards, who used to complain so much of pirates, have become encouragers of them, having taken the great pirate Bear into their service, while the French have taken Laurens into theirs. There is a merchant in Port Royal who possesses a wharf without a patent, the only wharf fit to careen the King's ships on. He had the impudence to refuse to let the Falcon be careened

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there, till I was forced to compel him, and since then I have entered an action against him on behalf of the King, and shall certainly recover the wharf. I beg you to move the King to grant it to me, and I will let it to a tenant who will always keep it fit for his Majesty's service. The Assembly will meet on the 16th inst., and I shall then be able to send you a fuller account. *Signed*, Albemarle. 2½ *pp. Endorsed.* Read at the Council 25 May 1688. [*Col. Papers, Vol. LXII., No.* 19, *and Col. Entry Bk., Vol. XXXII., pp.* 83-87.]

Feb. 13. **1,625.** Minutes of Council of New York. Peter de Riemer granted letters of administration for the estate of Elizabeth Graveratt. The cruiser to protect the whale oil recalled. [*Col. Entry Bk., Vol. LXXV., p.* 17.]

Feb. 14. **1,626.** Minutes of Council of Jamaica. The Provost Marshal returned the writs for election of an Assembly. Names of the members. Sundry petitions considered. [*Col. Entry Bk., Vol. XXXVI., pp.* 193-194A.]

Feb. 14. **1,627.** Governor Lord Howard of Effingham to the Earl of Sunderland. I hear that Captain Crofts has made great and grievous complaints against me that I had obstructed the King's captains in the execution of their duty and encouraged unlawful traders here, and am greatly surprised to hear that these aspersions had altered the King's good opinion of me and augmented his displeasure to the highest degree. On receipt of this news I at once summoned the Council and ordered the Surveyor General, Attorney General and Captain Allen to attend, the last named also to bring Captain Crofts, that he might then and there give particulars of the misdeeds of which he accused me. All duly attended except Captain Crofts, who refused to come, as Captain Allen informed me, notwithstanding my orders. But his absence was very fully supplied by copies sent me by your orders, which fortunately reached me on my way to the meeting. I have answered them fully and particularly, with proofs annexed, which I hope will suffice to acquit me. His allegations against me are made simply to cloak his own oppressions, which I have already reported to you, in the complaint of Mr. Martin. I beg only that his charges and my answers may be laid before the King, when I doubt not that his ill opinion of me will be changed, and that my justification may be announced to me as soon as possible. I have received the King's orders as to treasure brought from the wreck, and a letter from the Lords ordering the calling of an Assembly to pass a law prohibiting the exportation of bulk tobacco. I have communicated with the Government of Maryland on the subject. I recommend Colonel John Armestead for admission to the Council, when there is a vacancy. I enclose an address from myself and Council to the King on the declaration of indulgence. *Signed*, Effingham. *Holograph.* 2½ *pp. Endorsed.* Recd. 21 May 88. *Enclosed*,

1,627. I. Address of the Governor and Council of Virginia to the King. Thanks for the declaration of indulgence. *Large sheet. Endorsed.* Recd. 21 May 88. Duplicate

27 April 88. *Copy in Col. Entry Bk., Vol. LXXXIII., pp.* 206, 207.

1,627. II. Extracts from several letters of Captains Allen and Crofts to Mr. Pepys, against Lord Howard of Effingham, with Lord Howard's answers to each complaint, in parallel columns. 4 *pp.* Recd. 7 April 88. Read before the Board 14 June 88.

1,627. III. Act of Virginia for laying an impost on liquors. 2 *pp.* *Attached.* Certificate of the clearing of the ship Richard of Bristol. 6 August 1685. *Printed form.*

1,627. IV. Certificate of John Loder of goods taken from him by Captain Crofts for clearance of his ship, 7 December 1685. 1 *p.*

1,627. V. Certificate of the entry of the ship Richard of Bristol, 15 February 1688. 1½ *pp.* *Signed,* Nicho. Spencer.

1,627. VI. Minutes of a General Court at Virginia, 27 October 1686. Order for the dismissal of the barque Seaflower, acquitted. 1½ *pp.*

1,627. VII. Certificate of the collector of New York of the due entry of the sloop Catherine. *Signed,* Lucas Santen, 18 Nov. 1685. 1 *p.*

1,627. VIII. Record of judgment against the sloop Katherine, seized by the King's collector for breach of the Navigation Acts. 1½ *pp.*

1,627. IX. Lord Howard of Effingham to Captain Allen, R.N. 22 December 1685. Ordering him to deliver up the sloop Happy Return, seized by him, unless he has something more against her than he has already produced. *Copy.* 1 *p.*

1,627. X. Thomas Samways to ?. As to blackmail levied on his ship by Captain Crofts, R.N. 2 *pp.*

1,627. XI. Extract from a letter from the Surveyor General of Virginia to Lord Howard of Effingham, 15 June 1686. Respecting the blackmail levied by Captain Crofts, R.N., in John Loder. 1 *p.*

1,627. XII. Copy of a certificate which John Loder was paid to give Captain Crofts, that he had given him nothing for his discharge. *Scrap.*

1,627. XIII. Order of the Governor for Captain Crofts to attend the Council on complaint of William Martin, that Crofts had taken blackmail from his ship. *Signed,* Effingham. 1 *p.* *Endorsed.* Recd. 27 April 88.

1,627. XIV. Lord Howard of Effingham to Samuel Pepys. I am surprised that you should lend an ear to those patched and malicious informations of Captains Allen and Crofts, and even bring them before the King. They have given me some trouble, but I have cleared myself on every point in my answer to the King and Council. Not long since, Captain Allen's mistress or ward was delivered of a son on board his ship, whereby he was so elevated that he sent me word next day that he had a son and heir, which was presently christened with great solemnity,

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This is a great dishonour to the King's Government here, but Captain Allen thinks himself, or would be, more Governor than I. Pray represent my defence to the King. 1 *p.* *Copy.* *Endorsed.* Read 21 May 1688.

1,627. xv. A second and more minute answer to the complaints of Captain Crofts, arranged in parallel columns. *Signed,* Effingham. February 14, 1687-8. 8 *large pp.* [*Col. Papers, Vol. LXII., Nos.* 20, 20I.-xv., *and without Enclosures*), *Col. Entry Bk., Vol. LXXXIII., pp.* 198-203.]

Feb. 14. **1,628**. Minutes of Council of Barbados. The King's letter of 6 December respecting indulgence to Quakers read. Orders issued accordingly. On the entreaty of the Assembly the Lieutenant Governor undertook to forward their address concerning the additional duty on sugar to the King. Copies of the addresses to the Governor and to the King. Act for impost on wines passed. [*Col. Entry Bk., Vol. XII., p.* 73.]

Feb. 15. **1,629**. Journal of Lords of Trade and Plantations. Petition of the Lord Mayor, Sir John Shorter, and others for privilege to work mines in New England read. Mr. Wharton and others concerned were called in and told to bring their proposals.

Sir Nathaniel Johnson's letter of August 10 read (*see No.* 1,387). Agreed to recommend that he be allowed to receive the Assembly's present. Colonel Edward Powell's proposals read (*see next abstract*). The Lords agreed on their report (*see No.* 1,631) on the first and last articles. Article 2 to be referred to Lord Dartmouth, article 3 to the King's counsel, articles 4-6 to Sir Nathaniel Johnson, and article 8 to the Treasury.

The reports of the law officers as to unfree ships trading to Campeachy to be laid before the King (*see No.* 1,633).

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 128-133.]

[Feb. 15.] **1,630**. "The humble representation of Edward Powell," Lieutenant Governor of Antigua. (1) That the King will confirm the Act for building St. John's Fort, as the planters and inhabitants will not build it unless compelled. (2) That he will give some guns and shot for arming it, as there is not a serviceable gun therein, and the country pleads incapacity of buying them when required. (3) That he will confirm the Act to confirm titles and void occult patents. (4) That he will repeal the Act for putting to death negroes who have run away for over three months, as it exhausts the King's revenue. (5) That he will enforce the Militia Act of Jamaica, which is stricter than that of Antigua, as the people cheerfully pay 50 lbs. of sugar rather than stand two hours in the sun. (6) That he will order a general survey, in order to validate new patents and those in the King's name, as those at present in force are informal, which will encourage people to sell large tracts of land at an easy rate, and so encourage settlers. (7) That the forteers *(sic)* may be named to be paid out of the first branch of the revenue, they being the only requisite and standing guards throughout the whole year. (8)

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That only two harbours, Falmouth and St. John, be allowed for shipping to ride in. (9) That a competence may be settled on Lieutenant Governors, whereby they may live without obligation to the people. (10) That the fees settled on the judges may be allowed, in order to encourage honest men to settle in the islands. *Signed,* Ed. Powell. 2 *pp. Endorsed.* Read at the Committee, 15 Feb. 1687-8. [*Col. Papers, Vol. LXII., No.* 21, *and Col. Entry Bk., Vol. XLVII., pp.* 288, 289.]

Feb. 15. **1,631.** Lords of Trade and Plantations to the King. Recommending the confirmation of the Act for building a fort at St. John's, and an order for the settling the fees of judges, as proposed by Colonel Edward Powell. [*Col. Entry Bk., Vol. XLVII., p.* 290.]

Feb. 15. **1,632.** Order of Lords of Trade and Plantations. That the remainder of Colonel Powell's proposals be sent to Sir Nathaniel Johnson for his report. [*Ibid., p.* 291.]

[Feb. 15.] **1,633.** Case of ships loading enumerated commodities in the plantations without giving bond. *Inscribed on same sheet.* The Attorney General's opinion on the case. *Signed,* T. Powys, 5 Jan. 1687. *The whole,* 3 *pp. Endorsed.* Read in Committee, 15 Feb. 1687-8. [*Col. Papers, Vol. LXII., No.* 22, *and Col. Entry Bk., Vol. XXXII., pp.* 12-18.]

[Feb. 15.] **1,634.** Another copy of the same case, with the Solicitor General's opinion. *Signed,* Wi. Williams, 4 Jan. 1687. [*Col. Papers, Vol. LXII., No.* 23, *and Col. Entry Bk., Vol. XXXII., pp.* 18-20.]

Feb. 16. **1,635.** Minutes of Council of Jamaica. The Assembly attended and presented Samuel Bernard as their speaker, who was approved. The Duke's speech, and heads of the King's proposals to the Assembly. Clerks of the Council sworn. Colonel Walker moved an address of thanks to his Grace for his condescension in accepting the Government of the island, which was agreed to.

Feb. 17. Message from the Assembly thanking the Governor for his speech. At the Assembly's request the writs of election were delivered to them. The Assembly asked that one whom they had chosen for their clerk might be sworn, but his Grace asked first for the minutes of Assembly, and appointed a committee to peruse them. His Grace called attention to omissions in the minutes, and asked that they might be supplied. He then sent a message to the Assembly that he did not disapprove their choice of a clerk, but wished to join another clerk to him. Address of the Council to the Duke of Albemarle.

Feb. 18. The committee for examining the minutes of Assembly reported that Lord Carlisle had insisted on appointing a clerk to the Assembly himself. Message from the Assembly asking that the clerk of their choice might be sworn, and that the minutes be

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redelivered to them. His Grace answered that though it was his undoubted right to appoint a clerk to the Assembly, he would admit their clerk and join another with him. The Attorney General carried the message. Journals of the Assembly returned to them. [*Col. Entry Bk., Vol. XXXVI., pp.* 195-198.]

Feb. 17. Whitehall. **1,636.** Order of the King in Council. Report of Lords of Trade and Plantations, recommending that permission be given to Sir Nathaniel Johnson to accept the grant of 160,000 lbs. of sugar made to him by St. Christopher's and Nevis. *Dated* 15 February 1688. Ordered accordingly. *Signed*, John Nicholas. [*Col. Entry Bk., Vol. XLVII., pp.* 278, 279.]

Feb. 18. **1,637.** Minutes of Council of New York. Trial of Symon Grover for breach of the Acts of Trade. [*Col. Entry Bk., Vol. LXXV., pp.* 17, 18.]

Feb. 19. Albany. **1,638.** Governor Dongan to the Earl of Sunderland. When the King's orders reached my hands, a father and another gentleman were here who came along with Mr. Macgregory from the Governor of Canada. They would not agree to demolish the fort at Niagara nor to restore the goods, alleging that it was set up by the French King's direction, and that they had no order to pull it down. All their drift was to gain a truce for fifteen months and that the matters in difference might be referred home for decision. On this I called the chiefs of the Five Nations now with me together, and asked their opinion. They unanimously agree to consent to nothing until their demands were complied with, desiring also that the goods taken from them might be returned and another fort that lies in the way of their beaver hunting broken down, "for," (say they) "we are in prison so long as they are standing." They wished further that the fort at Cadaraqui might be destroyed, saying that the French had no right to it, that it was only given to Lasalle to keep a man there to dress the arms as they came in from hunting, and that the French have since built a fort there. As to Niagara they have not the least pretence of right to it, beyond that a poor Frenchman once went there to trade with the Indians. They may have the like pretence to all these parts of America for they do the like almost everywhere. As for the Ottawas and the tribes that wear pipes through their noses, they have traded at this town ever since it was settled, more than sixty years ago. I enclose copies of all that has passed between the father and me, and of the Indians' opinion. They are now fast with us, and are very considerable. We must keep them so, or they will ruin all the King's Colonies in these parts. Notwithstanding all the French sent to Canada, they are not to be kept out of it. The Indians have delivered over some of their prisoners, and I have sent them to the father in exchange for some of our Indians captured by them. If it were agreed that all things should be left as they were at the time of the last treaty sent over to me, that the goods taken on both sides should be restored, and the prisoners, both in Europe and in Canada, sent back, then a cessation ought to be made for two years, in which time commissions might be sent from both Crowns to view the country and decide the limits; otherwise the French will have much the advantage of us, for they know the country better. In the last treaty the French copy says that the "savages" are not to be assisted, which word they lay hold of, being a general expression. The English copy says "wild Indians," distinguishing, as I conceive, between those who submit to government and those who do not, which does not touch our Indians, who from time to time have submitted to the King's sovereignty.

I have been here all the winter with four hundred foot, fifty horse and eight hundred Indians. Neither the French nor their Indians have molested us as yet. We are at great expense, and, as I have often writ you, the Government cannot support itself as it is, to say nothing of this extraordinary expense. When I come to New York to impose another tax on the people I am afraid that they will desert the province for other Colonies. You can judge for yourself how far £3,000 will go in supporting a Colony which has both a French and an Indian frontier. Yet that is all that this revenue amounted to last year, as my next accounts will show. Moreover, the charges will now be much increased, for we must build forts on the great lake as the French do, or we shall lose the country, the beaver trade and our Indians. The French priest asked leave for their missionaries to go and live among them again, by which I find they make religion a stalking-horse to establish their claims. When I refused him, he answered with great heat that the French King had sent over 800,000 livres for the prosecution of this war, which if half of it had been expended on the Indians, would have gained them all to the French side, so I believe they will leave no stone unturned to get them. Peace or war, there must always be four or five hundred men to hold the forts, and secure the Indians, the beaver trade, and our just rights. This cannot be done without money. Were the Jerseys annexed to us, they would not bring us in £100 a year nor fifty men in case of need. East Jersey, it is true, is convenient for us to preserve what revenue we have. If any of the neighbouring Colonies should have war with the French or Indians, this Colony must be the bulwark to Boston, which has ten times the revenue of New York, and not a quarter of the charge. Connecticut is added [to New England] by the fraud of the Governor and the clerk, unknown to the rest of the General Court, and for one that wishes it as it is there are a hundred who wish it annexed to New York. What I write you is true; it is the misfortune of this Government that it cannot keep a solicitor at Court like other Colonies. My salary is less than that of any other Governor, yet my expense is greater. I have not had £600 of perquisites since I assumed the Government, and I am daily engaging my credit for the King's and the country's service. I beg that the King will consider this. I am glad of the King's orders to the other Colonies to assist me, else I think I should be denied by all as I have been already by some. *Signed*, Tho. Dongan. 4 *pp.* *Endorsed.* Recd. 28 May 88. Read 14 June. *Enclosed*,

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1,638. I. Colonel Dongan's first paper of demands to the French agents, 3 February 1688. 1. For the restoration of the arms and goods taken from Messrs. Macgregory and Roseboom in May 1687. 2. For the fort of Niagara and any other forts built on the lands of the Five Nations since 6-16 November 1686 to be demolished. 3. That all Indians prisoners, whether in Canada or in France, be restored. 4. That, in a word, the French Governor restore all things to the condition in which they stood at the making of the Treaty of Neutrality. *Copy.* 2½ *pp. Endorsed.* Recd. 28 May 88.

1,638. II. First paper of the French agents to Governor Dongan, 4-14 February 1688. We, though sent to negotiate, have been very ill treated by English Indians on our journey; and before answering any proposals we demand satisfaction for this insult, alike to the Governors of Canada and of New York. The messengers sent with us declared that the Indians acted against their will and consent, but the Indians themselves said that they acted by Governor Dongan's orders. We have also reason to fear still worse treatment on our return. Unless this injury be repaired, we cannot believe that Governor Dongan would better have repaired the injuries done by the Senecas to Canada, if demanded of him, though he has often complained that he knows nothing of them. *Signed,* Franciscus Vaillant, Soc. Jesu, Elambert Dumont. 1½ *pp. Endorsed as the preceding.*

1,638. III. Colonel Dongan's second paper to the French agents, February 1688. It is true that I propounded peace to the Governor of Canada. I am very sorry that you have been abused by Indians; I promised you ten days ago that your goods should be restored and the Indians punished, and I shall fulfil it. On enquiry I find that Mr. Macgregory does not believe that the Indians said any such thing as you say. If you produce your authority I will give you satisfaction; otherwise I must think that the statement proceeds wholly from yourself. *Signed,* Tho. Dongan. 1 *p. Endorsed as the preceding.*

1,638. IV. Second paper of the French agents to Governor Dongan. Mons. Dumont heard the Indians use the words I attributed to them. Now as to your proposals. 1. Macgregory and his companions were trading on French territory, and they came with a pass from the Governor of New York. Therefore, by the 5th article of the Treaty of Neutrality, their goods were justly confiscated; and it is useless to plead the 3rd article in the contrary sense. Yet, though the French had not violated the treaty, the same messenger who brought the copy of the treaty sent by Governor Dongan to the Governor of Canada, promised to furnish the Indians at war with France with arms and ammunition. This is contrary to the 3rd article, which admits of no distinction between "Indians" and "wild Indians," so the Governor of

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Canada had a right to arrest Macgregory. He was only kept close prisoner because he threatened to run through a captain, while on duty, with his sword. 2. The Indians detained in our forts were captured as enemies, or taken first to prevent them from giving intelligence of the French march, and subsequently detained as enemies. 3. We do not acknowledge the land in which Niagara stands to be English, nor the Senecas to be English subjects, but only rebels against the French. As to our war with the Senecas, it would have been prevented if Governor Dongan had ordered them to restore their Ottawa captives and come and make peace with us. I propose on my side: 1. That the questions of demolishing the fort, restoring the goods, and adjusting the boundaries, be referred to Europe. 2. That time be given to call all the Indians together, at least fifteen months, and that a general peace be made. 3. That there be a cessation of arms on both sides, and that no English Indians attack French Indians. 4. Within this time we shall receive the decision of the questions referred home. 5. That all Indian prisoners from Montreal be restored, in return for which an equal number shall be released from Canada and France. 6. If, before the questions referred home be decided, any English Indians molest French Indians, the French shall have the right to aid their Indians with arms and ammunition, but Governor Dongan shall not give the like assistance to the English Indians. *Signed*, Franciscus Vaillant, Elambert Dumont. *Copy.* 4 *pp. Endorsed as the preceding.*

1,638. v. Governor Dongan's third paper to the French agents, February 1688. You tell me that Mons. Dumont heard the Indians use the words about me. If so, I believe him, but my word ought to be taken against any Indians. I cannot admit the bearing of the 5th article on Macgregory's case, for I do not allow the Ottawas to be French subjects. Macgregory was not found trading, but waylaid and plundered, eight days' journey from the Ottawas. Thank you for reminding me that the treaty had not reached me when Macgregory started. In that case the French had no right to arrest them or take their goods; and I therefore demand restitution. Again, they were arrested before they were on Canadian territory. My offering our Indians help with arms and ammunition is not so strange as the Governor of Canada's invasion of English territory in time of peace. I must insist on the distinction between wild Indians and subject Indians. As for Macgregory, he was taken long before the French came near the Senecas' country; and as to his affront to the French captain, I believe that it must have been given under extraordinary provocation. Your justification of your capture of Indian prisoners turns against yourself. You say that it was to conceal the march of your army, and at the same time you

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affirm that they went to war with you at my instigation. The Indians were taken three months before I came here, and those whom you pretend to have made war with you only came against you in November last. You demand that the question of boundaries be referred home. I consent, provided that Niagara fort be destroyed, the captured goods restored, the Indians released, the Indians in France delivered to the English ambassador, and the Christian Indians of the Five Nations now detained in a fort in Canada set at liberty. This is my final resolution. The Ottawas have already been sent home by my order, and the prisoners here shall be released as soon as my demands are acceded to. *Signed*, Tho. Dongan. 4 *pp.* *Endorsed as the preceding.*

1,638. vi. Third paper of the French agents to Governor Dongan, 9-19 February 1688. Governor Dongan claims the right to send Macgregory to the Ottawas, as he does not admit them to be French subjects. We claim the selfsame right to erect the fort at Niagara, not acknowledging the Indians there to be English subjects. Wherever Macgregory was arrested he was on his way to French territory, as is proved by his pass, and by his visit to Lake Huron for trade in the previous year. The distinction between wild Indians and subject Indians was early repudiated. Governor Dongan finds that my last paper contains a contradiction of myself, but he is wrong about his dates. Now as to your demands. Niagara cannot be demolished without the French King's order, nor can it be safely done before a general peace. As to restitution of goods, the treaty provides that such disputes should be referred to Europe. As to Christian Indians detained in Canada, there are none; perhaps you wish the French garrison to be withdrawn and for those Indians to be left undefended to their enemies. I repeat to you my former proposals. *Signed*, Franciscus Vaillant, Soc. Jesu, Elambert Dumont. 4 *pp.* *Endorsed as the preceding.*

1,638. vii. Governor Dongan's fourth paper to the French agents. I believe it lawful for me to send to the Ottawas, but do not think it just for the Governor of Canada to build a fort at Niagara or to make war on English subjects. If the sheep's fleece be the thing in dispute, pray let the King of England have part of it, and let me remind you that God sends his blessings with what is well got. As to anything in the treaty concerning Macgregory's case I have already answered you sufficiently. I find your cause very bad, or you would not catch at every word you hear to justify yourselves. You have contradicted yourselves again, for in one of your papers you tell me the Indians began the war with you, and in the next that you had the right to begin the war with them. I can correct your dates

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for you also still further, to shew that you were the aggressors. The Christian Indians for whom I asked are English subjects, and would return to us were they not guarded. Indians, subjects of England, now here, ask me to demand of you as the rightful owners the land which you have taken at Cadaraqui. I hear that you maintain that the French King might have a title to this province, Virginia, Maryland and Carolina, because some rivers that run through them rise in the Canadian lakes. He might as well pretend to all the countries that drink claret and brandy. Let the Governor of Canada do justice, and that is the way to propagate the Catholic faith. *Signed*, Tho. Dongan. 2 *pp. Endorsed as the preceding.*

1,638. VIII. Fourth paper of the French agents to Governor Dongan, 15-25 February 1688. If you want a part of the sheep's fleece, it shall be granted to you, with the French King's consent, for it is to the Kings that the treaty provides that disputes shall be referred. No doubt you have referred some of the questions at issue to your King, but you did not put the true issues of territory and of subjects before him. You are wrong about my fresh contradictions of myself, and I never made any such claim of Virginia, Maryland and other Colonies, as you impute to me. I demand now only that all controversies shall be referred to Europe. A cessation of arms should be unconditional, or it is a peace, and you make demands which we could only grant on being reduced to extremity. If war ensue because the Indians refuse to make peace except on condition that the captives be released, it will be an unjust war. If Niagara be the difficulty I pledge that it shall be destroyed at the conclusion of the general peace fifteen months hence. As to restitution of the confiscated goods you can indemnify yourself by recovering two hundred beaver skins wrongfully taken by the Senecas from the French. We shall return home joyfully if you agree to this; if not, God must judge between us. *Signed,* Franciscus Vaillant, Soc. Jesu. 3½ *pp. Endorsed as the preceding.*

1,638. IX. Governor Dongan's last paper to the French agents. I agree to refer everything home, provided that things be restored to their condition when the Treaty of Neutrality was signed. As to the Five Nations not being English subjects, they themselves are the best judges. If you make war upon any part of this Government you make war upon the whole. As to the Christian Indians whom you detain, I think it would be just to let those go who wish to return here, and let the rest stay with you in God's name. I have sent my King a full report of the Governor of Canada's proceedings. I neither threaten nor desire war, but I cannot sit still and see English subjects attacked and their houses burnt. I will have satisfaction to the uttermost farthing for

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what has been taken, and if the Senecas owe you two hundred beaver-skins they shall pay you. The Indians now with me desire you to demolish the forts of Cadaraqui and Tircksarondia, and to deliver up certain captives whose names I give you. *Signed*, Tho. Dongan. $2\frac{1}{2}$ *pp. Endorsed as the preceding.*

1,638. x. Governor Dongan to the Governor of Canada, 17 February 1688. I received yours by Father Vaillant and Mons. Dumont. I am heartily sorry that by some accident they were abused and robbed by some drunken Indians on their journey down. Satisfaction shall be given and the offenders shall be punished. I know not what powers you gave to these two persons, but we have come to no conclusion, which surprises me, for I ask only for the destruction of Niagara fort, the restitution of what has been taken from Christians and Indians, and the release of all prisoners from Canada and France. I, on my part, shall keep our Indians in order, and I promise that the Senecas shall pay you the beaver skins they owe you. If you had orders to build a fort on English territory it must have been by a mistake; do not let it cause a misunderstanding between our masters. I adhere to my proposals still, but I think it hard that you should be both a party and a judge. I send eight prisoners to you to be exchanged for eight of ours. *Signed*, Tho. Dongan. $2\frac{1}{4}$ *pp. Endorsed as the preceding.*

1,638. xi. Propositions of Governor Dongan to the Six Nations. The King of England has sent me full orders to protect you, but meanwhile the Governor of Canada has sent two envoys to treat with me. I made certain demands of them, and they answer that they took your prisoners to conceal their march, that they look upon you as rebels, and that the fort of Niagara is to secure their people from you. Now I leave it to you whether you will continue the war or consent to the cessation for fifteen months, fort Niagara standing meanwhile. 2 *pp. Endorsed as the preceding.*

1,638. xii. Answer of the Six Nations to Governor Dongan, 13 February, 1688. Our hearty thanks to you. The French have no right to any of our lands towards the Ottawas. If their title be good, our title to the whole of Canada is good. We are the rightful owners of the lands to which they pretend, and we have granted them to the King of England. We repeat our demands for the demolition of the forts, the restitution of goods, and release of prisoners and of Christian Indians. If the war must be continued, be it on the French Governor's head. Their forts must be demolished or we shall be deprived of our beaver hunting. We leave the whole business to your Excellency. *Signed*, Robt. Livingstone. $3\frac{1}{4}$ *pp. Endorsed as the preceding.*

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1,638. xiii. Governor Dongan's answer to the Six Nations, 13 February 1688. I have written very kind things of you to my master. You know that he joins with you and will be at vast expense if the war goes on, so let us while we are all together link the covenant chain so fast that no man can break it, so that none shall go to war without consent of all, and none make peace but by consent of all. 1 *p. Endorsed as the preceding.*

1,638. xiv. Additional propositions of the Six Nations to Governor Dongan, 16 February 1688. Thanks for intelligence of the progress of negotiations. We leave all in your hands. We have been time out of mind English subjects; let the French remove their forts at Niagara and Cadaraqui. We see not through the cessation for fifteen months; it is only to blind us. As to repaying the two hundred beaver skins, we are at war, but we will do it if the French restore our goods and prisoners. As to the exchange of prisoners we should like it in forty days. *Replied:* The Governor thanks them for referring all to him. 1¼ *pp. Endorsed as the preceding. The whole of these enclosures are printed in New York Documents III., pp.* 519-536. *Abstract of the negotiations is in Col. Entry Bk., Vol. LXII., pp.* 20-24. [*Col. Papers, Vol. LXII., Nos.* 24, 24i.-xiv.]

Feb. 20. Nevis. **1,639.** Governor Sir Nathaniel Johnson to Lords of Trade and Plantations. Our crop is extremely backward and likely to be small, so ships have been scarce and I unable to write. The King's circular of 13 October as to pirates has been published. I have also received the King's orders as to the wreck. The first ship that went to it from these seas was a sloop from Antigua, but I heard nothing of it till it returned, nor did the Lieutenant Governors give me any information of it, as was their duty, so I could take no security from the adventurers, though they have since promised to answer the King's demands. They landed what they brought in the night, so I cannot ascertain its value except by their oaths, which I have deferred until Mr. Constable or his deputy shall arrive. Since then two other ships have gone from these islands to the wreck, which were sent out at great expense, but arrived only three days before Sir John Narborough, and were only just beginning to fish when they were forbidden to come near the wreck. They have done nothing but lose money, but I have taken security from them as ordered. I have received your letter of 18 May, and have published the King's declaration for liberty of conscience, also your letters of 18 June and 30 July. Mr. Carpenter and Mr. Belchamber will doubtless inform the Commissioners of Customs as to the letter, and being also factors of the African Company will give you an account of my zeal in putting down an interloper. Having no man-of-war to seize her I manned a merchant vessel for the purpose, but she escaped. I also arrested a barque which was said to be bound for Jamaica, but she was acquitted after a fair trial.

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Several petitions have been presented to me by the poorer inhabitants and by all the settlers in Anguilla and Tortola for liberty to go and settle on Crab Island. Those at Anguilla want water, and have suffered much of late from droughts. They produce nothing which pays revenue to the King, and those at Tortola are liable every day to be delivered up to the Dutch by the King's orders, so that they will make no improvements. The people here are daily leaving us for want of subsistence. I have deferred reply to their petition till I have the King's orders, as Crab Island is so close to Porto Rico, though it is a good island and of larger extent than any of them. If the King would permit me I should like to take the frigate and our forces here, and settle our people there. There would be no breach of the peace with Spain, for I design no attack on the Spaniards, but simply to defend ourselves in maintaining the King's just rights. On the 2nd inst. Lord Mordaunt passed by here with three great ships, and sailed in the evening to the old roadstead at St. Christopher's. I had, at the same time, information of two more men-of-war and two fire-ships that passed to leeward of the island. Not knowing what they were, and as they anchored close to us, I kept the island under arms all night. Next day my lord sent me word to say that he only wanted wood and water, and was bound for the wreck, which he thought was as free to him as to Sir John Narborough. I have heard no more of him since, but whether this be a veil to hide some other design I know not; but I was unable either to send Sir John Wood or to reinforce him if there had been occasion. I shall strictly obey the royal orders as to the King's revenue, but it will be a work of some time to take exact accounts of it.

Daily complaints are made to me by French Protestants who have fled from their islands to ours, and on their bended knees beg the King to grant them the mercy which he grants to their brethren in England. I do not harbour refugees who have fled because of debt or of crime; but one of these Protestants, who was redelivered to the French by the Governor of Nevis in my absence, was no sooner in their hands than they hanged him in St. Christopher's. I am therefore granting them my protection till I know the King's pleasure, and if I might be allowed to grant them letters of denizenation they would be of great advantage for settling and strengthening these islands, which are not one third as well peopled as they were some years ago. I am about preparing a list of the population, both white and black, this being the time when the levy is made for the public charges. *Signed*, N. Johnson. 5½ *pp.* *Endorsed.* Recd. 4 May 1688. Read same day and 6 July 1688. [*Col. Papers, Vol. LXII., No.* 25, *and Col. Entry Bk., Vol. XLVII., pp.* 296-300.]

Feb. 20. **1,640.** Minutes of Council of Jamaica. Adjourned till to-morrow morning.

Feb. 21. Message to the Assembly for a joint committee to draw up an address to the King. Business of the fairs and markets considered, and the parties referred to their legal remedy. Message

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Feb. 22. from the Assembly asking for the attendance of the Provost Marshal. Acts for lodging the minutes of Assembly and for ascertaining qualifications of jurors read.

Feb. 23. Jurors' Act read a second time. Message from the Assembly as to the joint address to the King. Copy of the address.

Feb. 24. Order for Francis Hanson and Richard Willis to be brought before the Council to-morrow, to answer for contempt of its orders. The Duke apprised the Council that he was warned from England of a design of the Dutch upon Sir John Narborough's fleet at the wreck, that the King had reinforced Sir John, and desired him to go and take command, on which last point he desired the advice of the Council. The Council unanimously begged him not to go. Lieutenant Governor Molesworth asked for a copy of the King's letter of 8 December as to the security to be given by him before leaving Jamaica.

Feb. 25. Message from the Assembly proposing to adjourn. The Duke refused to adjourn it till later than Monday week. Francis Hanson and Richard Willis ordered to find security to take their trial for disobedience of the Council's orders. [*Col. Entry Bk., Vol. XXXVI., pp.* 198A-202.]

Feb. 21. **1,641.** Minutes of Council of Barbados. On the petition of Captain Ralph Wren of H.M.S. Mary Rose, setting forth that he lay under suspicion of murder, of which crime he declared himself innocent, a special commission was ordered for trial of the case. [*Col. Entry Bk., Vol. XII., p.* 79.]

Feb. 21.
Whitehall. **1,642.** The King to the Governor of Barbados. A commission having been appointed to decide all disputes with France as to boundaries in America, all hostilities between French and English in America are to cease until the 1-11 January 1689. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. VII., pp.* 438, 439.]

Feb. 22. **1,643.** Journal of Lords and Trade and Plantations. Lord Culpeper's petition read (*see No.* 1,594). The Lords agreed on their report, *see* April 10.

Sir Timothy Thornhill's appeal heard and dismissed.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 134-141.]

Feb. 24. **1,644.** Orders of the King in Council. Confirming the Act of Antigua for erecting a fort on the north side of St. John's harbour, and approving the fees of judges appointed by Lieutenant Governor Powell. [*Col. Entry Bk., Vol. XLVIII., pp.* 58-62.]

Feb. 25.
Whitehall. **1,645.** William Blathwayt to Henry Guy. Forwarding copy of Colonel Powell's proposal as to ports in Antigua for consideration of the Lords of the Treasury (*see No.* 1,630). [*Col. Entry Bk., Vol. XLVII., p.* 291.]

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Feb. 27. **1,646.** Minutes of Council of Jamaica. His Grace announced that he proposed to appoint Mr. Roger Elletson Chief Justice. Colonel Bourden thereupon resigned his place as assistant judge. The Duke ordered the commission to be made out for others in lieu of Colonel Bourden. [*Col. Entry Bk., Vol. XXXVI., p.* 204.]

Feb. 27. **1,647.** Minutes of Council of New York. Petition of Elias Doughty and others for a special court to try William Jones, reserved till the Governor's return. [*Col. Entry Bk., Vol. LXXV., p.* 19.]

Feb. 28. **1,648.** Minutes of Council of Maryland. Letter from Colonel George Wells reporting the murder of an Englishman by Indians. Order for Colonel Wells to make further enquiry to ascertain to what tribe the Indians belong, and to use no force, but to ask for the murderers peaceably. [*Col. Entry Bk., Vol. LIV., pp.* 135-137.]

Feb. 28. Jamaica. **1,649.** Colonel Hender Molesworth to Lords of the Treasury. These will shew you an account of what I received for the King's tenths of all plate or money brought into this port from the wreck near Hispaniola before the arrival of the Duke of Albemarle. No orders had been issued as to the matter in my time, so I collected these tenths by advice of the Council on the precedent of the King, who, we hear, took the tenths from Sir William Phips as Sir William did from the Bermuda man who was fishing at the wreck. Our lawyers and law-books could give us no better rule, and neither myself nor any of the Council were concerned in the vessels that went to the wreck, so we acted according to the best of our judgment. However, the Duke of Albemarle has lately required me to give security in a hundred thousand pounds to answer for the half of what was imported here during my government, though the King's letter seems to import no more than an intended favour to the owners of a pink that was gone to the wreck, with a recital of a *non obstante* to all former orders to the contrary. Three days ago I asked the Duke to give me in writing what the condition of my bond is to be, which he promised to do; but instead thereof he sent me word yesterday that I must produce my security in three days. I went and told him that this was very short warning for so great a sum, the town being very empty of people; besides which he had not given me the conditions of the bond in writing, which was absolutely necessary. To prevent all suspicion of my leaving the island before security was given I offered in Council to enter into recognisances in twenty thousand pounds, which was accepted by the Duke. So if the bond shall be the usual one, that I shall surrender myself to one of the Secretaries of State and not go until I shall have given such further security as is demanded, I doubt not that I shall be able to give all that is required of me. In this case, if I proceed on my voyage I shall have to bring the King's tenths with me, so I hope the King will either be content to run the same risk of person and estate as I, or order the same to be insured. I embark on a good merchantman, there being no frigate. If the Duke cramp me with conditions to which

I cannot answer I shall consider myself his prisoner until the King relieve me. The ten per cent. deducted from the account is the usual commission to the receiver-general. Pray consider all the hardship to which I am subjected when you bring the matter before the King. *Signed,* Hder. Molesworth. *Holograph.* 3 *pp.* *Endorsed.* Recd. 28 May 1688. *Enclosed,*

1,649. I. Copy of a recognizance in £20,000 offered to Colonel Molesworth by Roger Elletson. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LXII., Nos.* 26, 26I.]

Feb. 29. **1,650**. Minutes of Council of Jamaica. The conditions of Colonel Molesworth's security referred to the Chief Justice and Attorney General. Order for discharge of two prisoners detained by Richard Willis. [*Col. Entry Bk., Vol. XXXVI., pp.* 204, 204A.]

Feb. **1,651**. Names of the Assembly of Jamaica chosen in January and February 1688:

St. Ann's	Whitgift Aylemore. William Drax.
St. Mary's	Andrew Langley. Andrew Orgill.
St. James	James Bradshaw. Charles Sadler.
St. George	Edward Broughton. Henry Archbold.
St. Thomas in the Vale	George Nedham. Roger Elletson.
St. John's	Fulke Rose. Thomas Ayscough.
St. Andrew's	John Barneby. Ralph Knight.
Port Royal.	Thomas Clarke. Charles Knight. William Hutchinson.
Port St. Thomas	Edward Staunton. Anthony Swymmer.
St. David's	Thomas Ryves. George Harvey.
St. Elizabeth's	Robert Scott. Christopher Senior.
St. Dorothy's	John Mohum. James Banister.
Clarendon.	John Towers. John Peeke.
Vere	Francis Blackmore. John Heathcott.
St. Jago de la Vega.	Ballard. Brag. Barnard.

1 *p.* [*Col. Papers, Vol. LXII., No.* 27.]

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March 2. Whitehall. **1,652.** Order of the King in Council. Approving the report of the committee of Trade and Plantations recommending that the sentence and fine imposed on Sir Timothy Thornhill be affirmed. [*Col. Entry Bk., Vol. VII., pp.* 449, 450.]

March 3. Nevis. **1,653.** Governor Sir Nathaniel Johnson to Lords of Trade and Plantations. Since my arrival I have visited all the islands and gathered the best information that I could. The procedure of the Courts of Judicature varies so extremely, not only in the different islands, but in the small divisions of each island, that the residents in any one know as little of the laws and customs of the rest as they do of the laws of England. Some matters they will determine by the English laws, in others, without any rational disparity, they reject English law; and in another island or even in another division of the same island, the reverse of these decisions will be the judgment given. As far as I have observed, the laws of England and the customs or pretended customs of the islands take place by turns, according to the fancy of the judge, and I think that the irregularity and uncertainty of judicial proceedings has contributed much to retard the progress of these islands. I hope to reduce them to a more uniform system, as near as may be to the laws of England, which at present Antigua imitates more exactly than the rest. The Council and Assembly of Antigua are now preparing several Acts for the settlement of the island, the regulation of the courts and for fixing their procedure, which will shortly be submitted for the King's approval, and if approved will be good precedents for the other islands. Pending instructions, I shall make the laws of England my guide, and shall not myself receive and reject those laws at random, nor suffer others. Where those laws are actually inconvenient I shall, of course, concur with the inhabitants in altering them. I will not leave discretionary power to every judge, and authority to doubtful pretences of custom. The regulation of this practice is the most considerable matter on which I have information to give you. The Governor in Chief and the Lieutenant Governors are Chancellors in their respective islands, and appoint Courts of Chancery when needed, though custom generally limits them to one a year, except by particular favour to individuals for the hearing of a particular cause, when they are called Special Courts of Chancery. This is extremely discouraging to merchants and traders, who, after obtaining judgment for their debts in the Common-law Courts, are sometimes delayed for a year till a rehearing in Chancery; for it is a practice for an unsuccessful defendant to appeal to the Court of Chancery, which appeal is granted on the defendant's bare report, whether there be any matter of equity at issue or not; and meanwhile execution is stayed. This practice I find arose from the tenor of the commissions granted to the judges by former Governors, and it will take time to reform it. I have meanwhile remedied matters somewhat by keeping the Court of Chancery always open.

In this respect the practice has been most unreasonably and groundlessly dilatory; in other instances it is not less unreasonably

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precipitated. After public notice given of a Court of Chancery the plaintiffs enter their actions of equity (as they are called here) according to a certain form, but without a word as to the grounds of action. Then about six days before the Court sits he sets forth his cause of suit; and the respondent has the option on the day of hearing either to deliver his answer in writing or by word of mouth, but not on oath, of which answer the plaintiff, without further time to consider thereof, must make the best case he can. Then the witnesses are examined, or their depositions are received as evidence, although taken at the instance of one party only, the contrary party having had no opportunity of being present or of cross-examining. Then each party makes the best representation that he can of his case, without having time to consider the evidence offered on either side, or any other material matter which the contrary party could not have foreseen until the witnesses on each side were produced. The Chancellor having apprehended the case thus hurriedly and confusedly brought before him gives his decree forthwith, which is entered in a book below the entry of that action, without a word as to the grounds that governed the decision. Yet these hasty sentences have heretofore been as greatly esteemed as the laws of the Medes and Persians. Again, the jurisdiction of the Court has been exceeded in many particulars, so much so as to do away with much of the advantage of trial by jury, since an appeal to the Court of Chancery even after verdict of a jury amounts to a stay of execution; and the Court will boldly examine matters of bare fact, and if they think the jury's decision wrong, will reverse it and make some further decree. The irregularities of the lower Courts may be guessed, when the Court of Chancery, wherein all the wise men of the island are assistants, is so managed. I have, however, done my best to reduce the Court of Chancery to its due jurisdiction, and have issued five standing orders for reform of the procedure. You will see that they bring the proceedings of the Chancery here as near to those of England as the smallness of the Colony permits. Litigation is now easily and cheaply decided.

About four months ago I spent some time at Montserrat. I found much inconvenience there owing to the farming out of the offices of Secretary and Marshal by the patentee. A petition was preferred to me by the Council and Assembly complaining of the excessive fees demanded by these officers, and on examining the matter I found the complaint to be true. Further enquiry shewed that the fees were left very much to the discretion of the officers, the patent laying it down that the fees were to be those which obtained when the patent was granted. What these may be I know not, so I decided that they must be determined by the oath of twelve men and that all must conform to them when determined, and meanwhile I settled and moderated the fees on the model of those at Nevis. The people were anxious to pass an Act like that of Nevis, but in justice to the patentee I thought fit to await the King's orders. I need not go into details about these fees, but they were extortionate to oppression. Marshals would let any prisoner taken up on an execution go at large on

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payment of twice the usual fee, and this was called imprisonment at large. You will perceive the hardship to creditors, for thereby they lost all benefit of any execution, though the marshals took care that their own fees should be paid. The secretaries of all the islands have, through long connivance of Governors, engrossed to themselves many things quite foreign to their office. In Montserrat, where things were worst, they claimed the benefit of writing all warrants, deeds and legal instruments, and to be sole scriveners of all wills and testaments. They also received 200 lbs. of sugar annually from all merchants, traders, innkeepers, and sellers of liquor in the island. This grew up as follows. By the Act of Trade and by local Acts all these people are required to have a licence from the Governor. The fee for this is 50 lbs. of sugar, and the licence is taken once for all, but in Montserrat the secretary, by the favour of some Governor, had made it the custom to renew it quarterly, until at length the sum became a yearly pension.

The King having left the choice of residence to me, I intend to move shortly to Antigua. It is less healthy than the rest, and has suffered of late more than the rest from bad weather. It is also less comfortable for the above reasons, but my intention is all for the King's service, for Antigua is more profitable to the King's revenue than all the rest of the Leeward Islands, though only one third of it is settled; and it will improve as the population increases. It is a Colony to be encouraged, and the residence of the Governor in Chief will contribute not a little to its encouragement. Nevis and St. Christopher's have had the benefit of this already, and I hope it may be equally successful in Antigua. One cause of the backwardness of the island is the ill regulation for disposal of lands. Patents have been granted out for tracts far too large for the patentees to manage, and these have generally played the part of dogs in the manger. I hope you will approve of the Acts passed to remedy this, which the island has long desired. Once more, Antigua is the most windwardly of this group, so the first to be reached by ships from England, and the most convenient for distribution of orders.

Since my arrival I have appointed Mr. Hutcheson Attorney General for these islands. He is a well-qualified lawyer, and came recommended to me by several persons of worth. He has proved worthy of the recommendations, and has been very serviceable, attending in the several islands at their respective sessions of the peace, a troublesome and expensive duty. I have asked the islands, pursuant to my instructions, what encouragement they will give to an Attorney General, but find them unwilling to comply with anything. Being restricted to the consents of the Councils in settling the fees of offices, and all places of profit being already disposed of under the great seal of England, I can do little to induce a gentleman educated as a lawyer to spend his time in the Colonies, where little of pleasure or the improvement of knowledge can be expected. He has asked me to name him to your Lordships and to beg your recommendation of him to the several islands in the hope that it may do something in his favour. I have commissioned the Lieutenant Governor and

Council of Montserrat or any three of them to be a Court of Exchequer, and design to do the same in the other islands. I have also ordered the Attorney General to make a general inspection of the affairs of Montserrat, and his report shall be forwarded to you for your instructions. I cannot yet tell whether a fixed Court of Exchequer for the islands in general or for each island in particular will be needed. If it be, I shall select the most loyal persons for the trust, and take care to hear the most important cases myself. I have already informed you that St. Christopher's and Nevis have voted 160,000 lbs. of sugar to the King for my support. Montserrat has voted the same amount, 60,000 lbs. of which they wish to be given to their Lieutenant Governor. Antigua also, to encourage me to reside there, has voted me a present. This, with what the King allows me, will be all that I shall have to enable me to meet the expense of my post. Whatever may have been the case with former Governors in more prosperous times, I cannot hope, now that sugar is so low and the additional tax imposed, that the welcome given to me on my first arrival will be repeated. Soon after my arrival I was petitioned by the Roman Catholics for the free exercise of their religion, which was granted. As the expense of building and decorating chapels, which they have already begun in Montserrat and St. Christopher's, will be very heavy on them, I have exempted them from contributing towards the support of Protestant ministers. Their petition and the order thereon are enclosed. I have done the like in the other islands. *Signed,* N. Johnson. 18 *pp. Endorsed.* Recd. 4 May. Read 14 June 88. *Enclosed,*

1,653. I. Form of the patent for grant of lands as issued by Sir William Stapleton. 4 *pp.* [*Col. Papers, Vol. LXII., Nos.* 28, 28I., *and Col. Entry Bk., Vol. XLVII., pp.* 302-317.]

March $\frac{4}{14}$. Leogane. **1,654.** Declaration of the Governor of Petit Guavos. Disclaiming the intention falsely attributed to him of seizing and punishing the privateers to whom the King had offered pardon on their surrendering themselves. *Signed,* De Cussy. *Copy.* 1 *p. Endorsed.* Recd. from the D. of Albemarle 13 Sept. 1688. [*Col. Papers, Vol. LXII., No.* 29.]

March 5. **1,655.** Minutes of Council of Jamaica. Colonel Bourden was suspended from the Council for resigning his post as assistant judge.

March 6. Petition of St. Jago del Castillo for leave to supply the Assiento's ships with provisions. Order for the depositions of the prisoners brought down from Cuba to be taken. The petition of John Throgmorton for pay as commander of an armed party against the rebel negroes recommended to the Assembly. Order for the fees of the clerks to be enquired into.

March 7-8. Council met, and was twice adjourned.

March 9. The Attorney General took the Councillor's oath of secrecy. The Assembly presented a supplemental Act for passing of

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current coin. Colonel Molesworth gave in reasons in writing against it. Bill touching the records of the Assembly committed.

March 10. The Chief Justice sworn as a Councillor. Sundry evidences for the Assembly sworn. A proviso added to the supplemental Act concerning foreign coin. [*Col. Entry Bk., Vol. XXXVI., pp.* 205-207.]

March 6. Jamaica. **1,656.** Governor the Duke of Albemarle to Lords of Trade and Plantations. The Assembly met on the 16th, to whom I communicated part of what I intended should come before them, in order to find out their temper. The rest I shall put before them later, when I have found their compliance with what I have already offered. The Council and Assembly have agreed on an address to the King, which I enclose. I have suspended Mr. Hanson, a justice of the peace, for having acted in contempt of the Council's orders. On the 27th I propounded to the Council the appointment of another Chief Justice instead of Mr. Bernard, on which Colonel Bourden, one of the Council who had been an assistant judge of the Supreme Court for some time, asked me who it was for whom I designed the place. I told him, though I was not obliged to inform him, that it was Mr. Elletson. He replied with a show of passion that in that case he asked to be excused from acting as a judge any longer. This I took to be a slight to the King's service and a disrespect to me, and it proved to be a bad example to others, for immediately afterwards Major Penhallow and Colonel Elmore, two other assistant judges, desired also to be excused from attending that court; and as there remained only Colonel Needham there were not enough left to make a quorum. I am confident that this was done in hopes that I should not readily supply the defect, but they were undeceived, for I at once appointed Sir Francis Watson, Colonel Ballard, Major Peake, and Major Reeves; and Mr. Knight offered voluntarily to serve as assistant judge, which I took kindly from him. So these were put into the commission, and the court sat as had been appointed. I made choice of Mr. Elletson because I thought him an honest man, an able lawyer and one that will do good service in the station. Mr. Bernard, the late Chief Justice, sent to tell me that he was well satisfied at his removal, and only desired that he might practise as an attorney in the same court. In consideration of Colonel Bourden's public refusal to serve as a judge, I thought that he deserved public correction, and, therefore, on the 5th inst., I suspended him from the office of Councillor. I also dismissed Penhallow from his office of major, but continued him in the commission of the peace, as he is factor to the African Company and may be of service. Being well assured that considerable treasure has been brought into the island from the wreck near Hispaniola, and having been pressed by the King's letters to recover one moiety for him, I have required £100,000 from Colonel Molesworth to answer the King's demands. He has received the tenths, which he acknowledges to amount to £5,000, but I believe there is more. I shall endeavour to find the whole. He has promised me the security.

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The late Governor of Saint Jago in Cuba is condemned to be shot for being civil to Captain Samill. On Sunday the 19th ult. there was a great earthquake in the island, but no great harm done that I can hear. We learn, however, of a most terrible earthquake and inundation at Lima. I enclose a translation of the account. The Biscayans have lately taken two British ships. One, bound for New York, was carried into St. Jago, the other into St. Domingo. She was worth £10,000, and Mr. Wall was concerned in her to the amount of £4,000. I send affidavits on the subject. I also enclose a civil letter which I have received from the Governor of Saint Jago. *Signed*, Albemarle. 3 *pp.* *Endorsed.* Read 25 May 1688. *Enclosed*,

1,656. I. Complimentary letter from the Governor of Cuba to the Duke of Albemarle. Dated 1-11 March 1688. *Signed*, Alvardomero Venegas. *Spanish.* 2½ *pp.* *Endorsed as the preceding.*

1,656. II. Deposition of Roger Whitfield, master of the barque Dragon. As to the plunder of his ship by a Spaniard, who carried him into St. Jago. 1 *p.* *Endorsed.* Recd. 22 May 1688.

1,656. III. Deposition of Issachar Daldy. As to the capture of Richard Whiffin's ship by Spaniards, who carried her into St. Domingo. 1 *p.* *Endorsed.* Recd. 25 May 1688. [*Col. Papers, Vol. LXII., Nos.* 30, 30I.-III., *and (letter only), Col. Entry Bk., Vol. XXXII., pp.* 88-93.]

March 6. **1,657.** Minutes of Council of Maryland. Order for apprehension of Thomas Hussey for obstructing Philip Lynes in the execution of his duty. Evidence against Hussey taken. [*Col. Entry Bk., Vol. LIV., pp.* 137-141.]

March 6. **1,658.** Minutes of Council of New York. Licence granted to Richard Blackledge to buy whale-oil for soap-boiling. Petition of Thomas Roberts and others, executors of Mary Matthews, deceased, for abatement of part of the excise agreed to by deceased during her lifetime. [*Col. Entry Bk., Vol. LXXV., pp.* 19, 20.]

March 7. Jamaica. **1,659.** John Bourden to Lords of Trade and Plantations. I have been suspended from my seat in the Council, and expect to be removed from all other places of authority, civil and military. On or about the 27th ult. the Duke of Albemarle declared to the Council his intention of making a new Chief Justice. I asked whom he designed to appoint, and being told, Mr. Elletson, I asked to be excused from sitting as one of the assistant judges. The duke assented without any expostulation about the matter, but he has since reflected severely on it, as if I had behaved out of disrespect to the King's service, whereas I had no motive but the poor opinion that I entertained of the new Chief Justice, and my own unwillingness to be bound by his sense, for I have small knowledge of law. I sat under the late Chief Justice from my confidence both in his law and his justice. However, the duke called a quorum of the Council together on short notice on the 5th inst., and, declaring to them that as I had refused to serve the King in one capacity, I was unfit to serve in any

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other, actually suspended me from the Council. He never accused me nor charged me to my face, nor heard what I might have to say in defence, as is shewn by the copy of the minutes and of a letter which I received from the clerk. As this is contrary to two of the instructions communicated by his Grace to the Council against arbitrary removal of judges and suspending of Councillors, I submit the case to you. *Signed,* John Bourden. 1½ *pp. Endorsed.* Recd. 25 May 88. *Enclosed,*

1,659. I. Extract from minutes of Council of Jamaica, 5 March 1687. His Grace informed the Council that Colonel Bourden had asked to be excused from sitting as an assistant judge if Mr. Elletson were appointed Chief Justice, and gave his opinion that a man who refused to serve the King in one capacity was unfit to serve him in any other. Wherefore he did then suspend Colonel Bourden from the Council. 1 *p. Endorsed.* Recd. 25 May 88.

1,659. II. The clerk of the Council of Jamaica to Colonel Bourden. Informing him that the Duke of Albemarle has suspended him from the Council. *Signed,* Francis Hickman. ¼ *p.* [*Col. Papers, Vol. LXII., Nos.* 31, 31I., II., *and (letter and enclosure No.* II. *only), Col. Entry Bk., Vol. XXXII., pp.* 102-105.]

March 9. **1,660**. Reasons offered to the Duke of Albemarle and the Council of Jamaica against the bill entitled A supplemental Act for the current passing of coin. 1. It overvalues the coin and therefore diminishes the King's revenue, contrary to the royal instructions. 2. It is against common justice, for creditors lose by the raising the value of money twenty and twenty-five per cent. 3. It will spoil the country's credit and dislocate trade. 4. It will give occasion to clippers and others to reduce all pieces-of-eight to the lowest weight. 5. It is against the interest of the island, for by however much we over-value a foreign commodity, such as foreign coin, by so much we undervalue our own produce. *Signed,* H[ender] M[olesworth]. *Copy.* 1¼ *pp. Endorsed.* [*Col. Papers, Vol. LXII., No.* 32.]

March 10. Barbados. **1,661**. Lieutenant Governor Stede to Lords of Trade and Plantations. My thanks for the permission to accept the present voted to me. I hope that Mr. de Pas' agents have informed you of my restoration of the ship captured from pirates by Captain Temple of H.M.S. Mary Rose. I have done all that I could, but the business has been delayed by my sickness, and by the embezzlement of the goods by the officers of the Mary Rose. I have received several orders as to pirates, which shall be observed. Pirates rarely come here, and when they do are punished with rigour, if taken. I hope that they will be equally punished everywhere when Sir Robert Holmes arrives. I have also received the royal orders as to the Quakers. I have admitted some of the Quakers to parochial offices accordingly, and I have ordered the military officers to cause no more fines to be levied on the Quakers than suffice to pay for substitutes for them. But it

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is difficult to hire men to serve in the militia, for we have few supernumerary people who are not obliged to do military duty under the Militia Act. But I shall observe the King's orders. If the Quakers would keep their due number of white men that their plantations require to suppress the danger of an insurrection of negroes, the militia would be strengthened and they themselves subject to fewer penalties. But as Christian servants are less profitable than negroes they keep few of them, and indeed but for the Militia Act and the fear of insurrection few Christian servants would be kept in the island. The interest that Quakers have here is so great that they ought to make one regiment, the want of which will be badly felt in case of war or insurrection. The Quakers also importune of me, as part of the King's favour to them, that they shall be able to give evidence, sit as jurors and perform other functions without being sworn. As these matters are not expressly mentioned, I know not whether to allow them, and beg instructions.

The French from Martinique and those other islands continue to visit St. Lucia, St. Vincent and Dominica, to hunt, fish and cut timber, whenever the King's frigate is not there. She has been absent from them some months refitting, but I have sent her back, to remove the French if need be. All is quiet here, and there is great rejoicing over the Queen's being with child. It is, however, still a sickly time, and small pox continues among us. The people are despondent over the hardships that fall daily on them, by which they grow so poor and so much in debt that they lose all hope. The cost of producing sugar, the low price and the bad times have induced the Council and Assembly to address the King on the subject of the new impost. They would gladly pay an equivalent of the trade and produce if the island could bear it. These addresses they have asked me to send, and I doubt not of your assistance in forwarding the same. *Signed,* Edwyn Stede. 1½ *closely written pages. Endorsed.* Recd. 22 May. Read 25 May 88. [*Col. Papers, Vol. LXII., No.* 33, *and Col. Entry Bk., Vol. VII., pp.* 462-465.] *Annexed,*

1,661. I. Extract from minutes of Council of Barbados of 14 February 1688. The Lieutenant Governor communicated the King's orders of 6 December 1687 as to the Quakers. Ordered that the instructions therein be obeyed, and that copy of the material portions be communicated to the justices of the peace. *Copy.* 1 *p. Endorsed.* Recd. 22 May 88.

1,661. II. Address of the Council and Assembly of Barbados to Lieutenant Governor Stede. Requesting him to forward their address to the King on the new impost on sugar *(see next abstract).* Dated 14 February 1688. *Copy.* 1 *p. Endorsed.* Recd. 22 May 88.

1,661. III. Address of the Council and Assembly of Barbados to the King. On first hearing of the new impost on sugars we laid before you a calculation of the expenses and profits of a sugar plantation, to shew you our inability to pay the same. But we understand that this representation of ours was diverted from your hand, and

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conclude that it is for this reason that it has remained unnoticed. We beg now to repeat our former remarks, and to implore your attention to them. We assure you also that sugars have not advanced but rather lessened in price, so that the whole impost is paid, not by the consumer, as intended, but by the growers and importers. This tax, with the four and a half per cent. duty, equals the rack-rent of our lands, owing to which cause we become indebted by the very making of the sugar which has to pay the duty. This not only impoverishes the planter, but injures trade, and the result must be the diminution of your militia, as the merchant, alarmed at the prospect, declines to give the planter credit, without which few can manage their plantations for sugar. The plantations, therefore, are becoming mere pastures, which yield but a poor income to the owner, and become useless to your treasury. Many plantations are very near this miserable condition, and others must fall into it unless they be relieved. We shall not presume to hint at the consequences that may follow to the Royal African Company and to English trade and shipping. We beg your favour, for we are a loyal people. *Thirty-one signatures. Dated* 14 Feb. 1688. *Copy. 2 large pp. Endorsed.* [*Col. Papers, Vol. LXII., Nos.* 33I.-III. *and (No.* III. *only), Col. Entry Bk., Vol. VII., pp.* 465-468.]

March 10. Barbados. **1,662.** Account of bullion brought into Barbados from the wreck. Certified by John Hallett and Benjamin Skutt, 1 February 1687-8. Certificate of Lieutenant Governor Stede, 10 March 1687-8, that he has taken one moiety into his custody. 2½ *pp. Endorsed.*

Duplicate of the foregoing. [*Col. Papers, Vol. LXII., Nos.* 34, 35.]

March 12. **1,663.** Minutes of Council of Jamaica. Adjourned to 13th.

March 13. Committee appointed to confer with the Assembly as to the Act concerning foreign coin. Petition of St. Jago del Castillo praying that orders might be given for the seizure of a runaway captain and ship of the Assiento. Ordered that he bring his evidence this afternoon. Other petitions considered. St. Jago del Castillo's business adjourned till to-morrow.

March 14. Report of Colonel Molesworth stating the difference between the Council and Assembly as to the Act concerning foreign coin. Message from the Assembly desiring a further conference thereon, to which his Grace, after some parley, consented. Conferrers appointed. Message from the Assembly asking for a new writ for the parish of St. Ann's, William Drax having been declared no member of the house. St. Jago del Castillo's petition considered. The Council advised that it be acceded to.

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March 15. Messages between Council and Assembly over the supplemental Act concerning foreign coin. Ralph Knight summoned before the Council for disrespectful language and reprimanded. Colonel Barry suspended from the Council. Act touching the Assembly's records read twice.

March 16. Bill touching foreign coin read. Bill touching the Assembly's records passed.

March 17. Council met and adjourned. [*Col. Entry Bk., Vol. XXXVI., pp.* 207-211.]

March 12. **1,664.** Minutes of Council of Maryland. Order for a Special Court for the trial of the ship John of London for breach of the Acts of Trade.

March 13. A second letter from Colonel Wells as to the murder of an Englishman by Indians. Order for Mr. Francis Jenkins to be sent to demand the murderer from the chief of the Nanticokes. [*Col. Entry Bk., Vol. LIV., pp.* 141-145.]

March 13. **1,665.** Minutes of Council of New York. Major Baxter brought an order from the Governor at Albany to consider what will be the expense of the expedition against the French this year, and the best means of defraying it. The cost was computed at £8,000, a greater burden than the Colony can bear. Resolved to write to the Governor and ask him to invite contributions from the other Colonies. [*Col. Entry Bk., Vol. LXXV., pp.* 20-22.]

March 19.
Bermuda. **1,666.** Henry Hordesnell to Lords of Trade and Plantations. Captain Frowde, who has done his best to aid me in the hopeless task of collecting the King's dues, is about to sail home, not having got more than a fifth of what the King had a right to expect. I have taken the recognizances of several to pay the King's dues when called upon, under which they tremble, not having wherewithal, yet hoping for the King's pardon on promise of better conduct in future. They could have paid the King's dues as freely at first, had as much care been taken to collect them for him as there was to collect a sixteenth for another person. I hope that you will grant this people free trade, which has been refused them many years. The King suffers as much as the people, his loss in the customs exceeding £3,000 this last year. The planters were forced to keep their tobacco till it rotted, and there were many other disorders. I hope that you will let me return, when I think I can shew you how to make this a happy island. *Signed*, H. Hordesnell. 1 *p. Endorsed.* Recd. 15 June. [*Col. Papers, Vol. LXII., No.* 36, *and Col. Entry Bk., Vol. XVIII., pp.* 157, 158.]

[March 19.] **1,667.** Extract from the foregoing letter, as to the granting of free trade. $\frac{1}{4}$ *p.* [*Col. Papers, Vol. LXII., No.* 37.]

March 20. **1,668.** Minutes of Council of Barbados. Orders for payments for work done at Fontabelle House, for rebate of duty, and for payments of compensation to owners of negroes executed. [*Col. Entry Bk., Vol. XII., p.* 80.]

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March 20. **1,669.** Minutes of Council of Jamaica. Lesley Palmer, for spreading a report that H.M.S. Drake had been sunk by Biscayners, was ordered to find security for good behaviour in future. Resolved that a man-of-war be sent to demand the English subjects among certain pirates who had fortified themselves in the Isle of Ash, and to attack the pirates in case of refusal. Ralph Knight offered an apology for certain language that he had lately used, and was ordered to appear next day. Richard Cubitt also ordered to attend to-morrow. Additional Act for ascertaining value of coin read a second time and committed.

March 21. Ralph Knight attended and begged pardon for using unbecoming words of the Council. Richard Cubitt's business deferred till to-morrow. The Naval Office presented its account of the King's dues delivered to Colonel Molesworth. Act for christening of slaves read a first time. Order for John Wilkinson to be arrested and brought before Council for inhuman treatment of negroes.

March 22. The Assembly attended, and his Grace made them a speech to the effect that they had sat for a month and done little, and that they would do well to vote the King a perpetual revenue. John Wilkinson bound over to take his trial at the Grand Court. Act for better ordering of slaves read a first time. Anthony Ayler ordered to appear before Council to answer for a charge of fraud. Examination of Richard Cubitt's case. The complainants against him referred to their legal remedy.

March 23. His Grace acquainted the Council that the Assembly had thrown out the bill for perpetual revenue and ordered an account of escheats, fines and forfeitures to be prepared, these being already the King's. Act for better ordering of slaves committed. Act for christening of slaves read a second time and committed. Anthony Ayler's case compounded by consent of the complainant against him. [*Col. Entry Bk., Vol. XXXVI., pp.* 212-216.]

March 21. Barbados. **1,670.** Lieutenant Governor Stede to the Lord President. I have lately received the King's orders in favour of the Quakers. [*Repeats substance of his former letter on the subject, see No.* 1,661.] I send an account of all the wreck-silver I found in the Bermuda ship I wrote of, with the oath of all the parties concerned. I have taken from all the parcels one moiety for the King, which awaits the royal orders, though the importers hope to get an order restoring it to them. They pretend that they bought it in Bermuda, and received it for debts due to them and for goods sold. I send also another account of money and plate imported hither from the wreck by the ship Raven, of which it appears that the King's moiety was paid to Mr. Constable, but I secured what was taken from the wreck after Mr. Constable left them. Only two more vessels have arrived from the wreck, which brought only five or six hundred pounds, for which they produced the King's order allowing them the full profit. By the oaths of the crew, however, they took eight hundred weight of silver for which they are to be answerable to the King. I know not what is become of my little venture in a small sloop sent to the wreck, but I fear all is lost, not having heard a word of it since Sir J. Narborough ordered it away from the wreck. I am afraid they may have fallen into the hands of Biscayners about Porto Rico, who are taken into the King of Spain's service to take pirates, and who interrupt English traders more than any pirates ever did. They not only confiscate the ship and goods, but put all the men to death; so they are never heard of again. This behaviour of theirs is confirmed from several sources. The island remains very sickly and poor. Sir Thomas Montgomery had reflected on me for giving leave to the Duke of Albemarle's secretary to open the Royal Oak lottery here, but our poverty, together with the disorders and rudenesses of certain persons, forced the person who managed it to give it over before January was out. The expense and loss have ruined him, which, I suppose, is the reason why Mr. Chapman, Mr. Cranfield, and others interested therein, have not yet addressed you on the subject as they intended. They are going to try their fortune again at Easter, and if they succeed sufficiently to be worth your notice, they will ask for your patronage and favour. Sir T. Montgomery is still uneasy, and thinks me not his friend, as he has not liberty to do as he pleases, though I have never diminished anything in honour or profit to him that he could pretend to. *Signed,* Edwyn Stede. *Holograph.* 2 *pp.* *Endorsed.* Recd. 28 May 88. [*Col. Papers, Vol. LXII., No.* 38.]

March 21. **1,671.** Journal of Lords of Trade and Plantations. The draft commission to Sir Edmund Andros read and approved. [*Col. Entry Bk., Vol. CIX., p.* 142.]

March 21. Boston. **1,672.** Table of fees of the officers of New England, submitted to the Council by Joseph Dudley, William Stoughton and Edward Randolph. 14 *pp.* [*Col. Papers, Vol. LXII., No.* 39.]

March 22. Virginia. **1,673.** Governor Lord Howard of Effingham to the Earl of Sunderland. I have for the last three weeks been very ill of a fever, and my life for many days was despaired of. I have received a letter from the Council with abstracts of Captain Crofts's letters, but having already received them from another source, have answered them already, and now send duplicates. I hope that there will be no mistake in them. Truly, I believe one great cause of my sickness is that I should lie under such accusations, knowing my own innocence, and that these gentlemen should aim at my ruin without any cause given by me; but I question not that you will acquit me when you have read my answer. *Signed,* Effingham. 1 *p.* [*Col. Papers, Vol. LXII., No.* 40, *and Col. Entry Bk., Vol. LXXXIII., pp.* 204-206.]

March 23. Whitehall. **1,674.** Order of the King in Council. For a warrant for the passing of Sir Edmund Andros's commission as Governor of New England, New York and New Jersey, under the great seal. *Signed,* Phil. Musgrave. ½ *p.* [*Col. Papers, Vol. LXII., No.* 41.]

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March 24. **1,675.** Minutes of Council of Nevis. The Assembly sent up a bill for a levy of 190,000 lbs. of sugar, which was agreed to by the Council. [*Col. Entry Bk., Vol. XLVIII., pp.* 166, 167.]

March 25. Boston. **1,676.** Edward Randolph to Lords of Trade and Plantations. I send the laws made in Council and the proceedings in Council since the Governor's arrival. The local laws have been delayed by the extreme severity of the winter and the distance of the homes of many members from Boston. The law for continuing rates and duties passed with great difficulty, not that there is any novelty or hardship in it, for it is no more than is already in the law book, and is but for £1,000; but they have always looked upon themselves as a free people, and look on this Act as a clog. The Governor has directed a survey of military stores; it will require a great deal of money to put the country in a state of defence. The *Quo Warranto* has been served upon Connecticut, and the people are all anxious to be united to this Government. The delivery of Pemaquid to this Government has been appointed, and will soon be carried out. The Governor, on arriving in Boston, discussed the necessity of having at least one of the churches for the Church of England, and after debate with the Council selected the third church in Boston for a sermon on Easterday, and appointed a minister to perform the office, which he did, without interfering with them who formerly used the church. We find it difficult to raise a maintenance for one minister, and nothing is so bad as that a minister should be precarious. He is a good and able man, but we have three or four other men from England for the other Governments. I would advise the prosecution of Connecticut's Charter to effect. *Signed*, Ed. Randolph. *Holograph.* 2 *pp.* *Endorsed.* Recd. 17 May 87. [*Col. Papers, Vol. LXII., No.* 42, *and Col. Entry Bk., Vol. LXI., pp.* 342, 343.]

March 27. St. Christopher's **1,677.** Depositions of John Hilton and others. As to the capture of their sloop, the Adventure, by a Spanish pirate. Sworn before Thomas Hill. 1 *p.* *Endorsed.* [*Col. Papers, Vol. LXII., No.* 43.]

March 28. **1,678.** Minutes of Council of New York. The King's letter of 10 November read. Copies to be sent to Virginia and Maryland. Proceedings between the Governor and Father Vaillant read, and the Governor's letter to Lord Sunderland of 19 February. Resolved to address the King, that the province is much impoverished by the loss of Pemaquid, the Jerseys, Pennsylvania and the three lower counties of Delaware, and by the interruption of the beaver-trade through the war. [*Col. Entry Bk., Vol. LXXV., pp.* 22-24.]

March 28. **1,679.** Minutes of Council of Jamaica. No quorum appeared either morning or afternoon.

March 29. Act for christening of slaves passed and sent down to the Assembly. Act for lodgment of records and for fixing qualifications of jurors received from the Assembly. Petition of St. Jago del Castillo read, complaining of the seizure of a Spanish sloop by the factors of the Assiento, and referred to the Court of

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Admiralty. Additional Act for ascertaining the value of current coin reported with amendments, which amendments were passed, and the bill was sent down to the Assembly. Order for remittance of William Blathwayt's salary as Surveyor General, and for payment of his salary to Chief Justice Bernard. Fees of the Clerks of Council paid.

March 30. Message from the Assembly, agreeing to the amendments to the additional Act concerning coin. Some small alterations of the Assembly agreed to. Bill for lodgment of records and for ascertaining qualifications of jurors read a first time. Order for proprietors of wharves to produce their patents to the Attorney General. Order for Mr. Kelly to arrest Hugh Bourne and Jacob Alvyn. Order for a bill to be introduced for the prevention of perjury.

March 31. Additional Act concerning coin passed. The Assembly asked leave to adjourn for four days, which was granted. [*Col. Entry Bk., Vol. XXXVI., pp.* 216-218.]

March 30. **1,680.** Minutes of Council of New York. The Governor's letters to Maryland and the neighbouring Colonies read and approved. Petition of the judges for the continuance of their salaries, the Act being expired. Ordered that the salary be continued. Order for an Act to be drawn up for the conversion of negroes. [*Col. Entry Bk., Vol. LXXV., pp.* 24, 25.]

April 1.
Whitehall. **1,681.** The King to the Governors of the Colonies. Asking exact information as to the limits and boundaries of the Colonies under their governments, that these may be determined before the cessation of hostilities with France comes to an end on the 1-11 January 1689. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. C., pp.* 24, 25.]

The same to the Leeward Islands. [*Col. Entry Bk., Vol. XLVII., p.* 295.]

The same to New England. [*Col. Entry Bk., Vol. LXII., p.* 13.]

The same to New York. [*Col. Entry Bk., Vol. LXIX., pp.* 184, 185.]

The same to Barbados. [*Col. Entry Bk., Vol. VII., pp.* 458, 459.]

April 2. **1,682.** Minutes of Council of New York. Order for a proclamation for a day of thanksgiving for the Queen's being with child. Stephen Cortlandt sworn Deputy-Auditor of the Royal revenue. Sundry petitions read. [*Col. Entry Bk., Vol. LXXV., pp.* 25-27.]

April 3. **1,683.** Minutes of Council of Maryland. A letter of recommendation from Lord Baltimore in favour of Mr. Matthew Travers read; also a letter from him in favour of James Thompson, who seeks redress of justice in respect of an estate. Order for summoning Colonel Wells, Miles Gibson, and another, who are parties concerned. A third letter read in favour of John Standly, to make easy his succession to the estate of his uncle Hugh. A fourth letter from Lord Baltimore to the Council to the following

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effect:—You will take bail of Giles Porter for good behaviour, as the case against him for using treasonable words is doubtful. I find that John Llewellin, who was dismissed from being Clerk of the Council for insolence and misbehaviour, has been chosen Clerk of Assembly by you. I take this unkindly of you, and moreover you had no power to do it. Again, Henry Coursey was chosen Speaker of the Upper House, which was also contrary to my commission. I shall be back in September, and meanwhile I exhort you to unity. I had a complaint from a sheriff, who had been removed by an order in Council, very oddly obtained, for no reason. This is a great dishonour to the Government. You should reward and encourage your men.

Robert Carvill appointed Attorney General and William Dent Solicitor General. Mr. Francis Jenkins made his report as to the murder of an Englishman by the Nanticokes. The chief lamented the murder, and promised to do his best to secure the murderer. Mr. Jenkins ordered to apply to the chief again for fulfilment of this promise. [*Col. Entry Bk., Vol. LIV., pp.* 146-157.]

April 4. Boston. **1,684.** Governor Sir Edmund Andros to Lords of Trade and Plantations. Immediately on receiving the King's order I sent an express to Governor Dongan at Albany, where French Commissioners from Canada were treating with him, but, as he tells me, without success. So he renewed his desire for four hundred foot, a hundred horse, and one company of red coats to be sent from hence. I heard yesterday from New York that he had heard no more from Canada, as he expected, and that he still wished the reinforcement to be ready to move in case of occasion, which letter I communicated to the Council. I have ordered the number of men required to be ready, and have endeavoured to put the militia into order, its arms being unsizable and bad. If the French persist in their invasion we cannot be unconcerned to eastward. I send herewith Acts lately passed to continue existing Acts in Connecticut, for choice of select men, for settling the militia, and for an additional duty of impost and excise, pursuant to the King's orders. This last with the other revenues will, I hope, suffice for the ordinary expenses of Government. If it be insufficient we shall, with the King's approval, impose another country rate. I also send the minutes of Council. I had taken security in £5,000 from a small vessel, lately come from the wreck to pay the King's tenths, and in accordance with instructions have now taken the half, amounting to 5,137 ounces of plate. The people complain much of this, pretending to be great losers by the voyage. The money is at hand, and would be useful for the repair of the fortifications. I hope to send the Treasurer's account by next conveyance. *Signed,* E. Andros. $2\frac{1}{2}$ *pp.* *Endorsed.* Recd. 26 May 1688. Read 6 July. *Enclosed,*

1,684. I. Governor Dongan to Sir Edmund Andros, New York, 28 March 1688. I arrived here last night from Albany. We have received no hurt from the French. Mr. Wessells, whom I sent to Canada with the French agent, is not come back. The King's order as to the war in

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Canada has been read in Council. We are at great expense by reason of these troubles, and cannot bear it without your help. The Council thinks that the aid you give us should be in men, but if there should be no occasion for them it is absolutely necessary that you help us with money. Meanwhile I beg that your men may be ready to march at the first notice. *Signed*, Tho. Dongan. *Copy.* 1 *p.* *Endorsed.* Recd. 26 May 1688. [*Col. Papers, Vol. LXII., Nos.* 44, 44I., *and (letter only) Col. Entry Bk., Vol. LXII., pp.* 15, 16.]

April 4. Boston. **1,685.** Governor Sir Edmund Andros to the Earl of Sunderland. I have duly received the instructions as to wrecks and pirates, and have sworn the new members of Council, except Mr. Lynde, who died a little before. *Repeats substance of the letter to the Lords, given in the preceding abstract.* *Signed*, E. Andros. 2 *pp.* *Endorsed.* Recd. 29 May 1688. [*Col. Papers, Vol. LXII., No.* 45.]

April 4. **1,686.** Minutes of Council of Jamaica. William Drax returned as member for the period of St. Ann. His Grace reported the joyful news of the Queen's being with child. Order for Tuesday in Easter week to be observed as a day of thanksgiving.

April 5. The Assembly sending a messenger as to a day of thanksgiving his Grace informed them of the day that he had appointed. Mr. Constable's warrant read empowering him to receive, as the King's due, one half of all treasures recovered from the wreck. Case of Mr. Towers examined for using the seditious words, *Populus est suprema lex.* Negro Bill committed.

April 6. Bill for prevention of perjury read a first time. His Grace declared the words used by Mr. Towers to be of dangerous consequence, and evidence was taken, which shewed that the words were spoken because Towers was refused leave of absence by the Speaker to attend a horse-race. Some witnesses averred the words to be *Salus populi.* At the request of the Assembly his Grace granted them a short adjournment.

April 7. Order for the trial of a seized Spanish sloop in the Admiralty Court. [*Col. Entry Bk., Vol. XXXVI., pp.* 218-220.]

April 5. **1,687.** Minutes of Council of Maryland. A letter from Colonel Spencer, desiring help in capturing a prisoner escaped from Virginia. Question raised whether the Whorekills are not part of Maryland. A letter of recommendation from Lord Baltimore in favour of Mr. Butler read. Captain David Brown and another, being summoned by Frederick Ellis, were discharged, and Ellis was ordered to beg their pardon or to be whipped. Sheriffs appointed for 1688. [*Col. Entry Bk., Vol. LIV., pp.* 157-160.]

April 7. **1,688.** Commission to Sir Edmund Andros to be Governor of New England. New York and East and West Jersey are annexed to New England, and the limits of the Government are fixed north and south from the fortieth degree of north latitude to the river

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St. Croix, and east and west from sea to sea, Delaware and Pennsylvania being excepted. Laws are to be made by the advice of the Council. *Printed in New York Documents III.*, 537. [*Col. Entry Bk., Vol. LXI., pp.* 381-391.]

[April ?] **1,689.** A representation of the flag of New England. St. George's Cross on a white field, with the initials J. R. and a crown embroidered in gold in the centre of the cross. [*Col. Papers, Vol. LXII., No.* 46.]

[April 8.] **1,690.** Petition of the proprietors of East New Jersey to the King. Submitting a schedule of their rights for consideration on surrender of their Charter. *Signed,* Perth, Melfort, Wm. Penn, and by thirteen others. 1 *p. Inscribed.* Recd. April 8. Read 4 May. *Endorsed.* A minute referring the petition to Lords of Trade and Plantations, 3 April 1688. *Signed,* Middleton. *Annexed,*

1,690. I. The substance of what is humbly desired to be contained in the patent for the province of East New Jersey. 1. Privileges of free navigation and free trade with Indians, and freedom of ports as in Boston and New York. 2. The same rights as lords of the manor in England. 3. A Council and a surveyor of their own choice for purchase of Indian lands. 4. Powers to erect Courts of Justice. 5. Officers and Governors to be chosen from any among the proprietors. 6. The assurance of the aforesaid privileges. 7. Instructions to the Governor of New England to leave affairs in Jersey unaltered for the present. 2 *pp. Inscribed.* A minute of the Lords of Trade, referring the paper to Sir Thomas Powis for report. *Signed,* William Blathwayt. [*Col Papers, Vol. LXII., Nos.* 47, 47I.]

[April.] **1,691.** Draft of a grant of the province of East New Jersey to James, Earl of Perth, and others, proposed by the proprietors of the province. 18 *pp. Endorsed.* [*Col. Papers, Vol. LXII., No.* 48.]

April 9. **1,692.** Minutes of Council of New York. Order for the justices of the peace, who have not furnished the names of assessors for levying the penny and a half per pound, to be summoned before the Board to answer for their neglect. Several appeal cases heard. [*Col. Entry Bk., Vol. LXXV., pp.* 27-29.]

April 9, 10. **1,693.** Minutes of Council of Jamaica. No quorum could be collected in these two days.

April 11. Several accounts delivered by Captain Thomas Spragge of H.M.S. Drake and referred to the Auditor General. Order for the care of the sick and wounded men of the King's ships, who had been brought ashore. A petition from Henry Perkins read respecting seventy or more English prisoners detained at Carthagena. His Grace promised to send and demand them. Order for discharge of John Wilkinson on giving security to take his trial. The King's patent read for Joseph Bathurst and William Doddington

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to be Clerks of the Common Pleas for the district of Port Royal. His Grace informed the Council that the Assembly had sat two months and done little, and seemed unlikely to do anything. The Council advised that it be dissolved. His Grace assented to the Bill concerning coin, and having summoned the Assembly dissolved it.

April 12. Order for arrest of John Towers, and for his detention till he find security in £2,000 and two sureties in £1,000 to answer the charge against him at the Grand Court. Order for payment of Captain Spragge's account. [*Col. Entry Bk., Vol. XXXVI., pp.* 220-222.]

April 10. **1,694.** Journal of Lords of Trade and Plantations. Lord Howard of Effingham's letter of 21 December read. Agreed to recommend that leave of absence be granted to him. Agreed to recommend that the order in Council of 3 November 1680 be amended that the King's sign manual may be sufficient authority for a Governor to leave his Government.

The Duke of Albemarle's letter of 19 December read (*see No.* 1,567). Agreed to recommend that Sir Henry Morgan's and Colonel Ivy's suspensions be taken off.

Draft report on Lord Culpeper's petition read (*see next abstract,* April 10).

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 143-147.]

April 10.
Council
Chamber.
1,695. Lords of Trade and Plantations to the King. On the petition of Lord Culpeper and others, we submit draft of a letter to Sir Edmund Andros, ordering him to make out patents for them, at the usual quit-rents, provided that it be without prejudice to the rights of the King or of any of his subjects, and to refer all disputes concerning the Narragansett country, which he cannot decide, to Whitehall, sending a map of the country concerned together with the documents. [*Col. Entry Bk., Vol. LXII., pp.* 8, 9.]

April 10. **1,696.** Minutes of Council of Maryland. Mr. Butler made Sheriff of Talbot county. New commission for Kent county ordered, also for Cecil county. James Lewis, having been burnt on the hand for manslaughter, and being so ill that he is likely to lose his hand, was acquitted of any fees due during his imprisonment. Thomas Hussey was brought before the Council. It was found that there was good ground of complaint against him, but he was discharged, promising not to offend again. Petition from Thomas Hussey as to a certain plot of land required for the Court House of Charles county. [*Col. Entry Bk., Vol. LIV., pp.* 160-166.]

[April
11.]
1,697. Petition of Henry Perkins, mariner, and others, his fellow-prisoners at Carthagena, to the Duke of Albemarle. We are some seventy in number, who have been here subject to the tyranny and severity of the Spaniards for some five years past. Though guilty of no crime we are kept in slavery, and nightly return to prisons and loathsome dungeons. A short time ago we

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begged the Governor that we might be transported to Jamaica or any other place, but were refused. We beg your good offices in procuring our release. *Certified copy.* 1 *p.* [*Col. Papers, Vol. LXII., No.* 49.]

April 12. Carolina. **1,698.** Lords Proprietors of Carolina to [the Governors of the province]. Enclosing the two circulars of 22 January, relating to pirates and to the Treaty of Neutrality. *Signed*, Craven, P. Colleton. [*Col. Entry Bk., Vol. XXII., pp.* 137, 138.]

April 12. **1,699.** Minutes of Council of New York. Many petitions and appeals considered. Henricus Salinus applied for a quietus for the administration of the estate of John Shaker, which was conditionally granted from the close of the month. [*Col. Entry Bk., Vol. LXXV., pp.* 30-32.]

April 13. **1,700.** Minutes of Council of Maryland. Letters from Colonel Dongan and from the King as to furnishing help to New York read. Order to summon Colonel Tailler to help in the deliberations. [*Col. Entry Bk., Vol. LIV., pp.* 167-170.]

April 16. **1,701.** Minutes of Council of New York. Petition of the inhabitants of Flatbush for the surveyor to run the division line between Flatbush and Brencklin. Order for a copy to be sent to Brencklin. Further order for justices, who have failed to furnish the names of assessors, to answer to the Council for their remissness. Order for the inhabitants of King's and Queen's County to repair the highway between Bedford and Jamaica. Order for a special commission to try William Jones. [*Col. Entry Bk., Vol. LXXV., pp.* 32-34.]

April 16. Whitehall. **1,702.** Instructions to Sir Edmund Andros as Governor of New England. The Council nominated consists of Joseph Dudley, William Stoughton, Robert Mason, Anthony Brockholes, Thomas Hinckley, Walter Clarke, Robert Treat, John Fitz-Winthrop, John Nicholson, Frederick Philips, Gervis Baxter, John Pyncheon, Peter Bulkeley, Wait Winthrop, Richard Wharton, Stephen Cortlandt, John Usher, Bartholomew Gidney, Jonathan Tyng, John Hincks, Edmund Tyng, Barnaby Lathrop, John Sanford, William Bradford, Daniel Smith, Edmund Randolph, John Spragge, John Walley, Nathaniel Clerke, John Coxhill, Walter Newberry, John Green, Richard Arnold, John Alborough, Samuel Shrimpton, John Young, Nicholas Bayard, John Palmer, William Brown, jun., Simon Lynds, Richard Smith, John Allyn. Seven councillors to be a quorum, except in emergency, when five shall suffice. Printing without license is forbidden. The Five Nations of Indians are to be protected. *Countersigned*, Sunderland. *Printed in New York Documents III.*, 543. [*Col. Entry Bk., Vol. LXI., pp.* 392-404.]

April 16. Whitehall. **1,703.** Lords Proprietors of Carolina to [the Governor]. We recommend to you Mr. Edward Ketchmaid, who is going to Carolina to recover an estate, to which he is entitled through the death of a relation intestate. Though his business must pass through the ordinary course of law, you will see that he have a

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fair trial. Mr. Timothy Biggs has a release and confirmation of the estate claimed from us, but this extends only to such rights as we had therein. You will take care that justice be done. *Signed,* Craven, P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 139.]

April 18. **1,704.** Proceedings at the General Assizes at Bermuda held on 5 March 1687-8, and adjourned to 18 April 1688. Address of the Grand Jury to Chief Justice Hordesnell. We would call your attention to the following facts:—(1) The tax of a penny a pound on tobacco has never been paid here, and is no profit to the King, but the contrary, since it discourages cultivation. The Assembly has devised other means of raising revenue to defray public charges. We beg liberty to transport tobacco in any ships qualified under the Acts of Trade to the port of London. (2) We beg that the King will continue the public land as a contribution towards defraying the expenses of defence, and the glebe lands towards the maintenance of ministers. (3) We beg to be allowed to secure our vessels in such harbours as we please, after performing the duties required by law. (4) We beg the annexation of New Providence to this Government, for our relief, as we were the first discoverers thereof. (5) We beg for free trade. *Presentment of the Grand Jury.* We find the value of the treasure brought to this island from the wreck to amount to £47,880 or thereabout, the King's moiety of which should forthwith be paid, and we beg for pardon on behalf of those who have been remiss in payment. We append particulars of the public lands and of the King's slaves. We repeat the presentments made in 1677 and 1681 as to profanation of the Lord's Day. We beg for the appointment of a day of humiliation before the visitations of sickness and destruction of crops, which have overtaken us. We present the perversion of land bequeathed for the benefit of the youth of these islands to improper uses. We beg that births, marriages and deaths may be punctually registered. We present the prevalence of drunkenness, swearing, and unlawful games, the perversion of certain public lands into glebe lands, and the disrepair of some of our roads and bridges. We append a full account of the school lands and of the persons in whose hands they now are. *The whole* 15 *pp. Marginal notes by Hordesnell against each article.* [*Col. Papers, Vol. LXII., No.* 50.]

April 16. Jamaica. **1,705.** Governor the Duke of Albemarle to Lords of Trade and Plantations. On the 16th March oath was made in Council that Colonel Samuel Barry had spoken scandalous words of me. As he did not disown it I suspended him from the Council, and ordered the Attorney General to prosecute him. I hope that the King will approve my action. I had advice from Sir John Narborough that Lord Mordaunt had been at the wreck with a Dutch ship of war and a hoy. Sir John Narborough allowed some of his officers and seamen to see the wreck, but they being inexperienced and the sea rough they saw nothing of it. Lord Mordaunt then sailed to the Bay of Samana, where he had left two other ships of war. Captain Wright, with the Assistance and my yacht,

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met him in Samana Bay, and Lord Mordaunt treated him quite friendly and fairly. Wright left Samana on the 15th ult., when my yacht went to the wreck, and the Assistance came to Port Royal. I was surprised to find Wright return without seeing Sir John Narborough, but he told me that Sir John did not want him, and that he should be more useful here. As Wright was on his way to Samana a master of a sloop informed him that an English pink, one Whiffin commander, had been carried into St. Domingo by a Biscayer. He immediately stood towards the place, and sent Captains Monk and Nowell with the treaties and a letter to demand the pink in the King's name. The Governor sent the men back with a letter to Captain Wright, of which I enclose a translation, but detained the ship and cargo. I enclose Wright's letter and other documents. I have been informed that Yankey and Jacobs fought the Hulke in the port of Cavana from seven in the morning till three in the afternoon, and took her. On the 1st Mr. Constable arrived at Port Royal in my yacht, direct from Sir John Narborough. The Falcon has been with Sir John over a month. On the 2nd inst. the elder Lieutenant of the Assistance died, and at Captain Wright's request I appointed Mr. Swan, midshipman, in his place. On the 5th I had news of Erasmus, a pirate, at Blewfield's Bay, and sent Captains Wright and Monk to take him, but he had escaped before they came. On the 19th I seized two Spanish sloops, for clandestine trading contrary to law. One of them has been tried and cleared by the Judge of Admiralty; the other will be tried in open Court. H.M.S. Drake came in on the 27th March. I ordered her to be careened and refitted. Colonel Molesworth has given security in £100,000 to answer the King's demands in respect of treasure. The Assembly have done very little, the major part having made it their business to wrangle and oppose all things that are for the King's service and the good of the country. Their private heats growing intolerable, and there being no hope of reducing them to a proper temper I dissolved them, after passing their one Act, one for the passing of Spanish money. The malcontents in the Assembly, being satisfied that they outnumbered the rest, would allow no fair debate, but were for putting everything at once to the vote. I intend soon to review the militia, and when I have settled the officers civil and military shall order the choosing of another Assembly. I must remind you that it would be of great service if I had the power of creating councillors when necessary, that business may not be obstructed by the want of a quorum. The capture of the Hulke by Yankey and Jacobs is confirmed. *Signed*, Albemarle. 3 *pp.* *Endorsed.* Recd. 6 July 1688. *Enclosures wanting.* [*Col. Papers, Vol. LXII., No.* 51, *and Col. Entry Bk., Vol. XXXII., pp.* 109-116.]

April 19. **1,706.** Report of the Attorney General touching estates in Montserrat and the Leeward Islands. *Montserrat.* On the regaining of this island from the French it was declared vested in the King by local Act. Next day another Act was passed, restoring estates to their old proprietors, and enabling them to obtain patents for further confirmation of title. Some proprietors,

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however, were excepted. Several such patents have been issued by different Governors. Those who held under the original Act I conceive to have a good title, but the majority of the proprietors have no such title nor any patent. Again, none of the patents are granted by the King's authority, nor with the Council's consent, as they should have been, nor under a public seal. There are other faulty titles, founded on bills and instruments of sale, some of them with half a dozen endorsements of transfer. I conceive thereupon that all the laws held by any other title than the Act above quoted are by good right escheated to the King. As to rents, services, etc., I can give you little or no account, nor of fines and forfeitures, other than those appropriated to some special service by Act. *Antigua.* I have not yet made particular inspection of this island, but from general enquiry I find that there are two Acts similar to those in Montserrat, and a third, granting ten acres of land for every servant imputed. Holdings under these titles I conceive to be good, but the patents are subject to the same objection as in Montserrat. It is probable that there are other faulty titles, but at present there is not an acre of ground at the King's disposal. *St. Christopher's.* I can speak little more positively of this island than of Antigua, for, in spite of your commission, the Lieutenant-Governor and Council were unwilling, as they were no lawyers, to act as a Court of Exchequer. It was useless for me to urge that their objections might be equally well urged against their sitting as judges in any other of the Courts of law. They also claimed some remuneration for service, if they should undertake it, and my arguments could not prevail with them. Mr. Joseph Crispe and Mr. Charles Mathews were the chief spokesmen. Crispe was Escheator General for eight years, until superseded by Mr. Tyacke, and has showed no account of his receipts. Mathews's whole estate is held by a bad title, and stands in danger of reverting to the King. Mathews also questioned that your commission was issued by royal instruction, until I produced the attested copy of that portion of the instructions. Having thereupon no authority to assist me in making enquiry at St. Christopher's I could not do so thoroughly. It is easy to guess from the difficulties that the Council have already raised that they will not cease to raise more and to obstruct the work. In St. Christopher's the titles generally fall under three heads; those held under the Treaty of Breda and Lord Arlington's explanation of the same, those obtained by purchase from the French under the same authority, and those dependent on patents. The first and second may be good or not, according to the instructions put on the articles aforesaid and the validity of the titles before the Treaty; but most of the people can produce no better title than the imperfect patents already described. Charles Mathews's estate is held by so imperfect a title that I should have preferred a bill of intrusion to recover it for the King had the Council consented to sit as a Court of Exchequer. I intended also to have laid an information against Joseph Crispe for furnishing no accounts of his receipts as Escheator General, but have likewise deferred this. He described the receipts as trivial, but others give a different account, and from an instance that came under my

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notice I am inclined to think that the others are right. One complicated case I design to lay before the King's Attorney General. *Nevis.* Here again the obstruction of the authorities has prevented me from making such thorough enquiry as at Montserrat. I know not, indeed, how we could ascertain their titles except by preferring bills of intrusion against every particular person. The titles fall under four heads, those authorised by a grant of King Charles I. and by the Acts of 1664 and 1680, which are in reality reducible to two; titles under the Act of 1664, and titles by patent. The patents are of course imperfect, and I think that flaws could be found in the others. Full inspection I believe would show that the Crown is entitled to most of the estates. Fines and forfeitures, unless appropriated by Act to some particular use, were generally remitted by the late Governor. Altogether I believe that nearly all the titles in the Leeward Islands are insecure, which is a hindrance to settlement, and a loss to the King by the failure of escheats. The only sure way of securing the titles is for the King to grant his letters patent to the proprietors. The details and conditions of the grant would have to be considered. It would be open to question, too, whether the instructions requiring the consent of the Council to the Governor's patents should not be altered, the councillors being all interested parties. As to rents, I believe that if the titles were confirmed at a rent of one per cent. or a half per cent. on the annual produce of the estates the revenue would be considerable and the burden very slight. An Act confirming the patents granted by Governors would also give great satisfaction; such an Act was passed in Ireland in Lord Strafford's time. The rent taken might be applied to the payment of the Lieutenant-Governor's salary, and then that officer would be wholly dependent on the King instead of on presents from the Colony, which have been in the past and may again be withheld. Moreover, to increase the King's revenue, escheated lands should not be granted away gratis, and fines and forfeitures should be more carefully looked to. Again, the due regulation of the customs or methods of the Courts of Justice would be a great boon to these islands. I give you some instances of the anomalies and inconveniences, and suggest means for remedying them. Finally, I would point out that it would be of great advantage to the islands to have a gentleman conversant with the laws and customs of England resident in them, and no one fitter than the Attorney General, which is the title that I bear. I give an outline of his duties. He might be allowed a percentage on the accidental revenues, fines, forfeitures, etc., of the Islands. *Signed*, Archibald Hutcheson. 32 *closely written pages. Endorsed.* Recd. 25 July 88. [*Col. Papers, Vol. LXII., No.* 52, *and Col. Entry Bk., Vol. XLVII., pp.* 342-385.]

April 19. **1,707.** Minutes of Council of Barbados. An escheat of two acres granted to Alice Byrne for twenty shillings. Two licenses granted to build wharves at St. Michael's on payment of £10 and of £2 respectively to the King. Robert Rich, John Thomas, and Robert Bishop sworn of the Council. [*Col. Entry Bk., Vol. XII., pp.* 83-85.]

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April 19. Barbados. **1,708.** Deputy Governor and Council of Barbados to Lords of Trade and Plantations. Forwarding quarterly returns of the Naval Office and of imposts. *Signed,* Edwyn Stede, Chr. Codrington, John Gibbes, John Hallett, Henry Quintyne, Richard Salter, Tho. Walrond. ½ *p. Endorsed.* Recd. 3 July, 1688. [*Col. Papers, Vol. LXII., No.* 53.]

April 20 and 21. Whitehall. **1,709.** Commission to Captain Francis Nicholson to be Lieutenant Governor of New England. *Countersigned,* Sunderland.

Memorandum of commissions to Anthony Brockholes, Gervais Baxter, Thomas Sharp and ——— Bradford, each to be captain of a company of foot. [*Col. Entry Bk., Vol. LXI., pp.* 406, 407.]

April 21. **1,710.** Minutes of Council of Maryland. Letter to Colonel Dongan that the country will be very glad to help New York as soon as it receives the King's order, which, so far, it has not. The attorneys for the several counties nominated. [*Col. Entry Bk., Vol. LIV., pp.* 171, 172.]

April 21. **1,711.** Minutes of Council of New York. The jurors who tried the case of Josiah Hobart and Jonathan Hall appeared, who explained the reasons for their verdict, and were discharged. [*Col. Entry Bk., Vol. LXXV., pp.* 34, 35.]

April 22. Whitehall. **1,712.** The King to Governor Dongan. Recalling him from the government of New York on the arrival of Sir Edmund Andros, and requiring him to return to England, where he may expect marks of royal favour and assurance of the royal satisfaction in his good services. *Countersigned,* Sunderland. *Printed in New York Documents III.,* 550. [*Col. Entry Bks., Vol. LXI., p.* 404, *and Vol. LXIX., pp.* 179, 180.]

April 22. **1,713.** Minutes of Council of Virginia. The Governor announced that the King had given the Colony a great seal. Colonel Byrd appointed auditor. [*Col. Entry Bk., Vol. LXXXIV., pp.* 275, 276.]

April 23. **1,714.** Minutes of Council of Maryland. Thomas Granwin appointed assistant clerk of Council.

April 24. Letter from Francis Jenkins, on which it was ordered that the Englishman murdered by the Indians be disinterred to satisfy them that he is dead. The Indians, however, to be informed that this will not be done again. [*Col. Entry Bk., Vol. LIV., p.* 173.]

April 24. **1,715.** Minutes of Council of Jamaica. The Duke informed the Council that a pirate's vessel, lately seized by Captain Spragge, had been claimed by Mr. Lynch, and, on examination of the case, ordered Mr. Lynch to bring the pirates to trial. Order that the Governor's order shall be sufficient warrant for the issue of money in payment for work on the fortifications. Petition of Thomas Wenbourne to be admitted as deputy clerk of the markets. He was ordered to give security accordingly. [*Col. Entry Bk., Vol. XXXVI., pp.* 223, 223A.]

April 24. **1,716.** Minutes of Assembly of Virginia. The burgesses presented Arthur Allen as their speaker, who was approved.

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April 25. Francis Page's commission from the Governor as clerk of Assembly read.

List of members.

Nancymond County	Thomas Milner. Thomas Lear.
Warwick County	Miles Cary. Richard Whittaker.
James City County	Philip Ludwell. James Bray.
James City.	William Sherwood.
York County	Francis Page. Thomas Barber.
Surrey County	Arthur Allen. Samuel Swan.
Rappahannock County	Arthur Spicer. Henry Aubrey.
Westmoreland County	Thomas Yowell. William Hardedge.
Accomack County	Charles Scarburgh. William Anderson.
Northampton County	Thomas Harmonson. William Kendall.
Middlesex County	Christopher Robinson. Robert Dudley.
Elizabeth County	William Wilson. Thomas Allonby.
Northumberland County	Richard Kennor. Hancock Lee.
Lancaster	William Bull. John Pinkard.
Stafford	Geo. Mason. Geo. Brent.
New Kent County	John West. Joseph Foster.
Lower Norfolk County	Anthony Lawson. William Crawford.
Isle of Wight County	Arthur Smith. Henry Applewhite.
Charles City County	Peter Perry.

Election returns examined. Address to the Council asking for members to be appointed to administer the oaths. Answer of the Governor. The King, by his declaration of indulgence, has dispensed with the old oaths, but if any of you wish to take the oaths I will meet your wishes. Colonel Richard Lee and Colonel John Lear appointed, and the oaths administered.

April 26. Address to the Governor for a copy of his speech, which was promised. Committee for propositions and grievances appointed.

1688.

The Governor's speech, commending to the Assembly the bill to prohibit export of bulk tobacco, and some assistance to the Government of New York. Address of the burgesses praying that the clerk of Assembly may be sworn to secrecy, though he be appointed by the Governor. The Governor consented, saying that he did not wish the clerk to be a spy, but only to keep him informed of the business in hand, and that he had therefore amended the oath of secrecy so far. The Governor of New York's letter read, as also the King's letter to him. The House resolved itself into a committee to consider as to the supplying the money to carry on the war. Resolved, that it sees no just ground why Virginia should afford any assistance to the Government of New York.

April 27. Committee appointed to draw up reasons for the resolution as to New York. Message from the Governor asking the House to be expeditious in the matter of the supply for New York. The House replied that it was considering the matter, and meanwhile addressed the Governor to appoint a day of fasting and humiliation.

April 28. Message from the Governor consenting to appoint a day of humiliation. [*Col. Entry Bk., Vol. LXXXV., pp.* 501-525.]

April 25.
Whitehall.
1,717. Grant of the office of secretary and sole registrar of New England to Edward Randolph. By writ of Privy Seal. *Countersigned,* Pigott. [*Col. Entry Bk., Vol. LXI., pp.* 408, 409.]

April 25.
Barbados.
1,718. Lieutenant Governor Stede to the Earl of Sunderland. Since my last I have inspected the forts and fortifications on the windward side, all of which I found in perfect order. I shall visit those to leeward in a day or two. The forty guns sent by his Majesty have been mounted, but we still want thirty or forty long whole culverins to put in the place of some old small guns, which do not mix well with those lately sent out, but might be useful elsewhere, or might serve for field pieces, being light. Will you move the King to grant us thirty long culverins more, and then I hope nothing will be wanting for the defence of the island. Whoever has chief command will have no excuse if he fail in his duty, for I am sure that the people are loyal enough. It would be a kindness to make us this grant, for the people are poor and indebted, owing to loss of negroes and other servants by sickness, and of horses and cattle by the like casualties. After inspecting the leeward fortifications I shall review the regiments, and send you an account of them. Our strength is much decreased by the great mortality that still prevails among us, especially among the blacks and ordinary sort of people, though they are generally better fed, clothed, and looked after than they used to be. Owing to the decay of trade, too, many of the whites born here and of the white servants who have finished their term, leave the island to seek a living elsewhere, which weakens the militia and leaves no people to be hired for military service. Quakers keep so few white servants that almost an eighth portion of our military force is wanting, which is a serious danger.

1688.

Captain Wrenn, of the Mary Rose, is just returned from St. Lucia, whither I had sent him to drive the French away. They treat the island as their own when the frigate is not there, Count de Blenac, the Governor of Martinique, giving them formal licence to do so, and having for some time past plumed himself thereon. I send a few copies for you to see. Captain Wrenn burnt all their huts, destroyed all their settlements and gear and some of their canoes, and sent the French back to Martinique. In this service the French shot one of Captain Wrenn's men, and, joining with some Indians from St. Vincent, tried to hurt the English, who were cutting timber at St. Lucia. They fired some poisoned arrows, but without effect, and the French, finding that they were not strong enough, retired into the woods. Two days since a ship arrived from Providence, and gave an account of some small settlements made there by a kind of piratical and ungoverned people. It reported also that Captain Spragge had been there in the Drake on his way to Jamaica and had seized and carried off such of the people as, according to his information, had been pirates or accomplices in piracy. This ship was at the wreck, but was forbidden to work there by Sir John Narborough. He believes that so far Sir John has not recovered much treasure. What is become of Lord Mordaunt and his Dutch squadron I have no account, nor of the discovery of any new wreck. Many vessels from Jamaica and Bermuda have been in quest of other wrecks, but have found none. A gentleman of this island has sent a sloop and other boats whale-fishing to the Bahamas, which he hopes may be profitable, many whales having been found in those parts; but it seems that it is difficult to take them there, as the seas are full of rocks and sands, so he succeeded only in taking one small whale, while a larger one, which he struck, got away. Alten Bocken, late Governor of Tobago for the Duke of Courland, is dead there. The settlement has made small progress from want of men, materials, and all sorts of necessaries. The second in command, Mr. Marreen, is at Boston, though daily expected back, so the captain of the few soldiers they have is now in command there. The Dutch ship which touched at Tobago, as was said, with intention to make a settlement there, made little stay. I hear nothing of Mr. Esmit, the Governor of St. Thomas, since he touched here on his way there. *Signed,* Edwyn Stede. *Holograph.* 2 *pp.* *Endorsed.* Recd. 19 July 88. *Enclosed,*

1,718. I. Copy of a pass given by the Governor of Martinique to Jacques le Curieux to hunt, fish, and cut wood at St. Lucia. Dated 11 February 1688. *Signed,* Blenac. *Countersigned,* Dubois. *Scrap.*

1,718. II. Duplicate of foregoing.

1,718. III. Similar pass for Jullien Pescheur. 18 February 1688.

1,718. IV. V. Similar pass in triplicate, for Sieur Henry St. Amour. 1 March 1688.

1,718. VI. VII. Similar pass for M. St. Amour, père. *Same date.* [*Col. Papers, Vol. LXII., Nos.* 54, 54I.-VII., *and (letter only), Col. Entry Bk., Vol. VII., pp.* 481-484.]

1688.
April 26. **1,719.** Minutes of Council of New York. The Assessors for Queen's County who refused to do their duty under the Act appeared, and were committed for trial. Order for appointment of new Assessors. Certain justices of the county of Westchester appeared, and were ordered to ascertain the fees of the clerk of the peace. [*Col. Entry Bk., Vol. LXXV., pp.* 35-39.]

April 27. Whitehall. **1,720.** Order of the King in Council. Renewing the order of 3 November, 1680, that no Governor of a Colony shall absent himself from his government without leave, either under the royal sign manual and signet or by order in Council. *Signed,* William Blathwayt. *Memo.* This order was sent to Colonel Stede, 16 June, 1688. [*Col. Entry Bk., Vol. VII., p.* 471; *also Vol. XXXII., pp.* 106, 107; *Vol. XLVII., pp.* 291-293; *Vol. LXII., pp.* 13, 14; *Vol. LXXXIII., pp.* 211, 212; *Vol. C. p.* 31.]

April 27. Whitehall. **1,721.** Order of the King in Council. Report of Lords of Trade and Plantations on the Duke of Albemarle's letter of December 19th (*see No.* 1,567), recommending that the suspension of Sir Henry Morgan and Colonel Ivy from the Council be taken off. *Dated,* 10 April 1688. Ordered accordingly. *Signed,* William Blathwayt. [*Col. Entry Bk., Vol. XXXII., pp.* 81-83.]

April 27. Whitehall. **1,722.** Order of the King in Council. Granting leave to Lord Howard of Effingham to come home. *Signed,* William Blathwayt. [*Col. Entry Bk., Vol. LXXXIII., pp.* 208, 209.]

April 28. Nevis. **1,723.** Governor Sir Nathaniel Johnson to Lords of Trade and Plantations. I have received your orders as to the wreck and the proclamation as to privateers. The latter have done us little mischief of late, and we have more reason to fear the Spaniards and the Biscayans with commissions from the King of Spain, who have taken, among others, a ship of this island (*see No.* 1,677). I wish that the King would send a fast sailing frigate to these parts to save our shipping. I have also received orders as to the Treaty of Neutrality and the indulgence to Quakers. I was mightily rejoiced to hear the news of the Queen's being with child, and pray God grant a safe delivery and a Prince of Wales. We appointed a day for public thanksgiving. *Signed,* N. Johnson. *P.S.* I hope you do not forget the condition of the poor soldiers at St. Christopher's. 2 *pp. Endorsed.* [*Col. Papers, Vol. LXII., No.* 55, *and Col. Entry Bk., Vol. XLVII., pp.* 325-327.]

April 30. **1,724.** Commission for Sir Edmund Andros to be Vice-Admiral of New England. *Countersigned,* S. Pepys. [*Col. Entry Bk., Vol. LXI., pp.* 405, 406.]

April 30. **1,725.** Minutes of Council of Jamaica. On the complaint of Mr. Stephen Lynch the Provost Marshal was ordered to assist him in apprehending certain French pirates lately arrived in the island. Petition of inhabitants of New Providence read, complaining of the plunder of their houses by Captains Spragge and Lenham. The two captains replied that they had instructions

1688.

from Colonel Molesworth to pursue pirates in New Providence. Complaint of three men against Captain Spragge for capture of their ship read; the captain replied that complainants were pirates. Complaint of William Douglas against Smyth, gunner of H.M.S. Drake read, and consideration postponed. [*Col. Entry Bk., Vol. XXXVI., pp.* 224, 224A.]

April 30. Jamaica. **1,726.** Colonel Hender Molesworth to the Lords of the Treasury. I warned you on the 28th that I had shipped home certain chests of plate and coin which I had received for the King's tenths from the sloops that arrived from the wreck. On the same day Mr. William Constable, Sir Richard Dereham and others, by virtue of a warrant from the Duke of Albemarle, went on board the ship, broke open the door within which the chests were laid and carried them away; Mr. Constable delivering to the commander the bill of lading which he had from me, together with his discharge upon it. I enclose copies of the Duke's warrants, of Mr. Constable's receipt, and of the captain's protest, from which you will see the favour Mr. Constable obtained from his Grace for possessing himself thus unduly of the King's money. He was not qualified to do so by any lawful means, as the copy of the power, which he handed to me, shows. I enclose copy of my reply. I think it hard that when the Duke has made me give such heavy security for the money he should have forced it out of the ship in which I had laden it for the King's service. But I hope that the King will set all right for me. *Signed*, Hder. Molesworth. 2½ *pp. Endorsed. Enclosed,*

1,726. I. Copy of the Duke of Albemarle's warrant to Captain Joseph Knapman and the Provost Marshal together with Mr. Constable's receipt for ten chests of money. Dated 28 April, 1688. 2½ *pp. Endorsed.*

1,726. II. Copy of Captain Knapman's protest against Mr. Constable and others. 1½ *pp. Endorsed.* 28 April 1688.

1,726. III. Copy of Colonel Molesworth's answer to Mr. Constable's demand of the King's tenths. 2 *pp. Endorsed.*

1,726. IV. Copy of the bond for £100,000, demanded by the Duke of Albemarle, with Colonel Molesworth's objections thereto. 2½ *pp. Endorsed.* Recd. 23 May 1688. [*Col. Papers, Vol. LXII., Nos.* 56, 56I.-IV.]

April 30. **1,727.** Minutes of Council of New York. Letter from Mons. de Denonville of 14 April read, also from Derick Wessells at Montreal. The Governor's propositions to the Six Nations of 29 April approved. Major Macgregory's claim of £15 for travelling expenses allowed. Robert Livingstone's account for maintenance of the forces at Albany from 11 August 1687 to 1 June 1688, amounting to £2,067, read; also his account for repair of the fortifications at Albany, amounting to £138. [*Col. Entry Bk., Vol. LXXV., pp.* 39, 40.]

April 30. **1,728.** The King to Lord Howard of Effingham. Directing Colonel John Armestead to be sworn of the Council of Virginia. [*Col. Entry Bk., Vol. LXXXIII., p.* 210.]

1688.
April 30. **1,729.** Minutes of Assembly of Virginia. Petitions to the Committee of Grievances. Report of a committee appointed to examine the election for Charles City County.

May 1. Address to the Governor. We do not think ourselves under any obligation to give help to New York, because there are other nearer Colonies to whom the King has given the same orders; the danger does not seem to be pressing, and we have ourselves been put to great expense lately for preparations against the Indians.

May 2. The Committee of Grievances reported as to the fee of 38lbs. of tobacco taken by the secretary. Message from the Governor, pointing out that it is the Colony's duty to help New York, and that New York is in great peril. Address to the Governor complaining of the fee charged by the secretary's clerk, and asking for his order that it be abolished. A second address, begging time to accept their former reasons against helping New York as good. A third address, asking for the revised collection of the laws.

May 3. Address to the Governor, asking for the prosecution of Colonel William Fitzhugh by the Attorney General. Message from the Governor. I send the revised laws, in accordance with your request. I must defer my answer as to the fees of the secretary's clerk. Address to the Governor, discussing and deprecating the King's repeal by proclamation of a repealing Act.

May 4. Message from the Governor, informing the House that the prosecution of William Fitzhugh shall be proceeded with at once. The Governor summoned the House to the Council Chamber and made a speech, expressing his disappointment that nothing had been done towards accomplishing the business which he had recommended to them, and recommending also the passing of a law concerning ports.

May 7. Message from the House sending up a bill concerning ports already passed, and asking for the letters of the Commissions of Customs on that subject and on the proposed restriction of planting tobacco. The Governor consented. Resolved to address the Governor as to the fees taken for the use of the great seal. Message from the Council, deprecating the Assembly's address as to repeal by royal proclamation. Message from the Governor defending such repeal at length.

May 8. Several bills considered. Address to the Governor. We have the bill as to bulk tobacco still under consideration, and we think the law to restrict planting of tobacco a good law; we send up a bill concerning ports. Message from the Governor. I have enquired as to the fees taken by the secretary's clerk for recording patents. I think the work very necessary, and do not think that the secretary and his clerk should be expected to do it for nothing. Messages of the Council as to two bills sent up by the burgesses objecting to both. [*Col. Entry Bk., Vol. LXXXV., pp.* 525-570.]

1688.
May 1.

1,730. Minutes of Council of Virginia. Order for transmission of £500, to be taken from the quit-rents, to New York, for the carrying on of the war against the French. Representation of the Council as to Indian lands at Pamunkey Neck. Order for a representation to the King of the encroachments of the Governor of Carolina on Currahtuck *(see two following abstracts).* [*Col. Entry Bk., Vol. LXXXIV., pp.* 276-289.]

May 1.

1,731. Extract from the minutes of Council of Virginia. Representing to the King that large tracts of land, notably at Pamunkey Neck, were formerly made over to Indians, which Indians are so dwindled in numbers that they make little or no use of the land, and invite the attacks of foreign Indians; that these Indians have petitioned that English may be allowed to settle in Pamunkey Neck and on the south side of Blackwater to give them protection. The Council hopes that the King will consent to the grant of the petition. *Copy.* *2 pp.* [*Col. Papers, Vol. LXII., No.* 57, *and Col. Entry Bk., Vol. LXXXIII., pp.* 222-224.]

May 1.

1,732. Representation of the Council of Virginia to the King. The public peace of the county has been threatened by the violent action of some officers of North Carolina, who have extended their bounds far within the anciently reputed and known southern boundary of Virginia. Our southern boundary has always been latitude 36°, and land to that limit has been granted out by us for more than forty years past. The settlers peacefully enjoyed their land as inhabitants of Virginia, till in 1680 Carolina laid claim to a small tract lying near Currahtuck and Blackwater. Lord Culpeper protested, and there was no more trouble until the present year, when the people of North Carolina have levied distress upon several people who hold their land by patents from this Government, and have carried off their goods. Unless relieved these poor people will be ruined. We beg, therefore, that the King will protect them, and that our bounds may not be narrowed. If the lands in question were made over to Carolina the King's revenue of tobacco would suffer much, as vessels could pass into the river Currahtuck unobserved, and carry off as much tobacco as they pleased, without paying dues. We beg for your orders for ascertaining our boundaries. [*Col. Entry Bk., Vol. LXXXIII., pp.* 225-228.]

May 2.
Jamaica.

1,733. Governor the Duke of Albemarle to Lords of Trade and Plantations. I have daily complaints of the Biscayans, who take all ships that they can overcome, carry them into Spanish ports, use the men barbarously, and at best make them slaves. Having a commission from the King of Spain they say that no Spanish Governor has authority over them. There are now six English vessels, captured by them, at Vera Cruz. I hear also that Beare, the pirate, is there. The enclosed depositions will show you what the Biscayans are, and I beg for instructions how I am to act towards them, and what measures I am to take to suppress them. Meanwhile I shall do my best to recover the distressed English subjects who have fallen into their hands,

1688.

The very Spanish Governors have complained to me of them. *Signed,* Albemarle. 1 *p.* *Endorsed.* Recd. 20 July 1688. *Enclosed,*

1,733. I. Deposition of Richard Wade. That he saw six English ships at Vera Cruz, which he was told had been captured by the Spaniards, and heard there were sixty English subjects prisoners there. Sworn 1 May, 1688. ½ *p.* *Endorsed.* Recd. 20 July 1688.

1,733. II. Deposition of Joseph Parrott. In September 1686 when sailing from Barbados to Salt Tortugas, deponent's ship, the Loving Land, was taken by three Biscayans, who forced him to go on board one of them, put him in irons, and sold his ship. He was kept in irons ashore at Vera Cruz, but contrived to escape, and applied to the Governor of Vera Cruz for satisfaction, but was told that he must go for satisfaction to old Spain. He was therefore forced to sustain himself by slavish work, until an English ship came in and enabled him to escape. There are from sixty to eighty English prisoners at Vera Cruz who have been there some of them seven or eight years, and are most inhumanly used. While he was on board the Biscayans took five sloops and another English ship. Sworn 1 May 1688. 4 *pp.*

1,733. III. Deposition of John Facknald. Deponent sailed with Captain Beare, who had a commission from the Governor of Nevis, but afterwards accepted one from the Governor of Havana. The Englishmen then refused to sail with him, but Beare embarked about seventy Spaniards, put it to the choice of the English to go with him, or go to prison. Beare made several piratical captures after this, and took his prizes into Havana. Sworn 1 May 1688. 3 *pp.* *Endorsed.* Recd. 20 July 1688. [*Col. Papers, Vol. LXII., Nos.* 58, 58I.-III., *and (letter only), Col. Entry Bk., Vol. XXXII., pp.* 116-117.]

May 3. **1,734.** Minutes of Council of Jamaica. Petition of the French pirates against Mr. Lynch, for imprisoning them, read. Mr. Lynch said that the petitioners continued to lead disorderly lives, and that he had arrested them by the Duke's warrant. Mr. Kelly, the Provost Marshal, deposed that the gaol was so full that he had been obliged to put them in irons. Mr. Lynch's deputation from Sir Robert Holmes read. Petition of Philip Howard, a minor, through Sir Henry Morgan and Roger Elletson, read, praying for half the profits of the Government from Sir Thomas Lynch's death to Sir Philip Howard's death. Colonel Molesworth said that he knew of no order bidding him account to Sir Philip Howard or his assigns for this money. [*Col. Entry Bk., Vol. XXXVI., pp.* 225-226A.]

May 3. **1,735.** Minutes of Council of New York. Resolved that a new levy be raised of £2,556, to be paid by all the freeholders. The Attorney General to draw up an act accordingly. Daniel Whithead's action against John Young and Isaac Arnold dismissed

1688.

with costs. Order for Isaac Arnold to be commissioned King's surveyor for the county of Suffolk. [*Col. Entry Bk., Vol. LXXV., pp.* 40-43.]

May 3. **1,736.** Lieutenant Governor Stede to [William Blathwayt]. I shall be careful to suffer no acts of hostility against the French, nor shall I again drive them from St. Vincent, St. Lucia and Dominica. Their claim to hunt, fish and cut wood is an usurpation, but looking to the terms of the Treaty of Neutrality I shall take no further notice of their doings until I receive the King's orders. I have never used violence to them, but they have violently opposed and ill-treated us. *Extract.* 1 *p. Endorsed.* [*Col. Papers, Vol. LXII., No.* 59.]

May 4. **1,737.** Journal of Lords of Trade and Plantations. The petition of the Proprietors of East New Jersey referred to the Attorney General (*see No.* 1,690).

The Lords agreed in their report on Sir Nathaniel Johnson's letter of 10 August (*see No.* 1,742). Colonel Hill's petition for leave to accept a present from the Assembly read. Agreed to recommend that it be granted. Sir Nathaniel Johnson's letter of 20 February read. The Lords agreed on their report (*see No.* 1,741). Mr. Blathwayt to prepare an account of Crab Island.

Petition of Richard Scott of Barbados read. The Lords agreed on their report (*see No.* 1,739).

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 148-154.]

May 4. **1,738.** Draft of a minute referring the proposals of the Proprietors of East New Jersey to the Attorney General. ½ *p.* [*Col. Papers, Vol. LXII., No.* 60.]

May 4. Whitehall. **1,739.** Order of the King in Council. On the report of the Lords of Trade and Plantations, ordered that such sums of money as have been paid in Barbados by Richard Scott, his testator or his sureties, shall be repaid to him. [*Col. Entry Bk., Vol. VII., pp.* 460, 461.]

May 4. **1,740.** Memorandum by William Blathwayt as to Crab Island. Crab Island is about four leagues distant from the eastern end of Porto Rico, and is one of the Virgin Islands. It may be for the King's service that it should be settled and fortified, provided it be without cost to the King, which will be a great expense to the undertakers, as the Spaniards also claim the island. It seems inadvisable for the King to permit the island to be settled unless good means of defence are provided against the Spaniards. [*Col. Entry Bk., Vol. XLVII., p.* 325.]

May 4. Council Chamber. **1,741.** Lords of Trade and Plantations to the King. Recommending orders to Sir Nathaniel Johnson to protect all French Protestants that shall come and settle under his Government; and that upon his sending in their names from time to time, letters of denizenation may be granted. [*Col. Entry Bk., Vol. XLVII., p.* 301.]

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May 4. **1,742.** Order of the King in Council. Report of Lords of Trade and Plantations. That it was resolved to advise that eighteen months' pay be sent to the two foot companies at St. Christopher's, on receipt of which they should be disbanded, and two other companies sent from England. Ordered accordingly. *Signed,* Wm. Bridgeman. [*Col. Entry Bk., Vol. XLVII., pp.* 318, 319.]

May 4. Whitehall **1,743.** Order of the King in Council. Permitting the acceptance by Colonel Thomas Hill of a present of 48,000 lbs. of sugar, made him by the island of St. Christopher. *Signed,* Wm. Bridgeman. [*Col. Entry Bk., Vol. XLVII., pp.* 294, 295.]

May 6. **1,744.** Minutes of Council of New York. Resolved that the Governor go to Albany at once, that two or three men be sent to the Indian villages to watch the motions of the French, and that the Governor take his own measures for sending or not sending for the Boston troops.

May 7. Order for a message to be sent to Minismiko to order them to send their young men to Albany to join with the Six Nations against the French, and that the young Indians be ordered up to the war with all speed. [*Col. Entry Bk., Vol. LXXV., pp.* 43, 44.]

May 7. **1,745.** Order of Governor Sir Edmund Andros. Forbidding any persons to settle or trade in the territory within the eastern part of the territory west of the St. Croix without a licence. *Copy.* ½ *p. Endorsed.* Recd. 22 August, 1688. [*Col. Papers, Vol. LXII., No.* 61.]

May 7. **1,746.** Minutes of Council of Jamaica. Petition of Thomas Churchill setting forth that St. Jago del Castillo had procured a manifesto for the Archbishop of Cuba prejudicial to the royal prerogative. Castillo ordered to be detained in custody till the King's pleasure be known. Masters of sloops from the wreck ordered to pay their moiety to the King, and on their refusing, because they had already divided the profits with their men, it was ordered that they have no passes given to them to leave the island, and that the Attorney General shall prosecute them. Order for the witnesses as to Captain Spragge's proceedings at New Providence to give their evidence in writing, and for copies to be delivered to Captain Spragge. Order for payment to the Provost Marshal for the building of the gaol. [*Col. Entry Bk., Vol. XXXVI., pp.* 226A-227A.]

May 9. **1,747.** Minutes of Council of Jamaica. Order for the goods of St. Jago del Castillo to be seized, he having fled the island. Evidence given as to the publication of the Archbishop of Cuba's manifesto in his chapel. The masters of sloops being willing to pay the moiety of their treasure from the wreck to the King, were ordered to deliver it to Mr. Constable. [*Col. Entry Bk., Vol. XXXVI., pp.* 227A, 228.]

1688.
May 9. **1,748.** Minutes of Assembly of Virginia. Address of the burgesses to the Governor, asking him to prevent the exaction of unreasonable fees from merchants and traders. Message from the Council recommending delay in passing the Ports Bill until the King's pleasure on the last Ports Bill, now before him, be known. Message from the Governor, calling the attention of the burgesses again to the matters first submitted to them at their meeting, and proposing a conference between the Council and Assembly. Message from the burgesses to the Council, deploring their attitude towards the address as to the repeal by proclamation. Report of the Committee on Grievances, with resolutions against repeal by royal proclamation, the taking of fees for the use of the great seal, the fees for the recording of patents, and the failure to account to the Assembly for fines and forfeitures. Message to the Council asking for help in preparing a joint address to the Governor as to the grievances aforesaid.

May 10. Bill to prohibit the export of bulk tobacco rejected. Message from the Governor defending officers against the charge of extorting excessive fees. Message from the Council declining to concur in a joint address with the burgesses. Address of the burgesses to the Governor undertaking to make good the charge of extortionate exaction of fees.

May 11. Message from the Council to the burgesses asking for an account of the grievances on which they desire to present a joint address. Address of the burgesses to the Governor begging for appointment of a joint committee to examine the collection of revised laws. Another address from the burgesses to the Governor, giving reasons against a bill for prohibiting the export of bulk tobacco as contrary to the interest both of the King and of Virginia. Message of the burgesses to the Council proposing a free conference for an address on grievances.

May 12. Message from the Council to the burgesses, refusing to concur in a joint address as to grievances since the details of the grievances are withheld, and censuring the burgesses' quarrels with the repeal by proclamation, fees for use of the great seal, escheators' fees, and the method of accounting for fines and forfeitures. Resolved that the answer is unsatisfactory. Messages from the Council and from the Governor to the burgesses as to the rejection of the conference. Petition to the King drawn up. Message from the Governor requiring the attendance of the burgesses. Speech of the Governor dissolving the Assembly. [*Col. Entry Bk., Vol. LXXXIV., pp.* 570-614.]

1,749. Duplicates of the minutes of Assembly, April 24 to May 12. [*Col. Entry Bk., Vol. LXXXIV., pp.* 427-497.]

May 11. **1,750.** Minutes of Council of New York. Order that no trees be cut down or girdled near any high roads, but that trees by the high ways be preserved for protection against the weather. John Cavilliar, the messenger, brought up his account, and was allowed £6 for his expenses. Sundry petitions considered. Answer of the

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town of Brencklin to the town of Flatbush read. Commissioners appointed to mark out the boundary between the two towns. [*Col. Entry Bk., Vol. LXXV., pp.* 44-47.]

May 11. Paris. **1,751.** A letter from Paris concerning Mons. de Lasalle. I do not know if you saw a score of Englishmen who were sent from Rochelle after being brought over from Canada. I am sure they will give a good account of their treatment by us. No news of Lasalle since he was left with 150 men and every description of arms and stores by the mouth of the Mississippi. He had met with little when the King's ship left him. As it is three years since he was heard of, he was believed to have been lost, especially as search had been made for him in vain. Now, however, there is news at Cadiz of 150 Frenchmen, under the King's commission, giving trouble towards New Biscay, that the viceroy of Mexico had sent an armed force to drive them away, and that he had surprised them. It is quite possible that he should be in such a position, and could send no news of himself for want of a ship. He had over a year's provisions when last seen, and had entrenched himself and built shelter for his stores for some expedition unknown. *French.* 3 *pp.* *Copy.* [*Col. Papers, Vol. LXII., No.* 62.]

May 11. Bermuda. **1,752.** Proclamation of Governor Sir Robert Robinson, appointing a day of fasting and humiliation. *Large sheet. Endorsed.* [*Col. Papers, Vol. LXII., No.* 63.]

May 11. Jamaica. **1,753.** Governor the Duke of Albemarle to Lords of Trade and Plantations. On two several occasions fifty-six pirates, all French except three, came into Port Royal, whose goods were seized as soon as possible, while they themselves are in prison in irons. This will deter others. Those now in confinement have petitioned for leave to send to Petit Guavos for their commissions, and they say further that, commission or no commission, they will be content to be hanged if they have ever injured an English subject. I could not refuse their petition, but if the French Governor claims these prisoners I shall be at a great loss, for on the one hand there is the King's proclamation against pirates, and on the other the Treaty of Neutrality. A naturalised Spaniard, Señor St. Jago, has carried on a most impudent transaction here. He produced a foreign ecclesiastical power from the Bishop of Cuba or Chapter of St. Christopher, which the Council judged to be an infringement of the royal prerogative, and an obstruction of Dr. Churchill's function. I enclose a true copy of St. Jago's power, and a narrative of the transactions that have followed on Dr. Churchill's complaint. I beg for instructions. I have removed the Attorney General and the Provost Marshal, who lies under a great many crimes besides this last. The Attorney General has acted not only contrary to my orders but as a knave to the King. One of the Council has done the same, and is not at all fit for the place, as shall be proved to you in time, but I cannot remove him now as we shall have only a bare quorum left. I again beg for powers to appoint Councillors. Colonel Molesworth sails for England to-morrow, having given me a bond of £5,000 to be

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determined before the King in Council concerning the dispute between us as to the moiety of the perquisites, etc. He says that he feels sure of the whole, and that he ought not to pay any part of it. I doubt not that you will do me right. *Signed,* Albemarle. 1½ *pp.* *Endorsed.* Recd. 23 July 1688. *Enclosed,*

1,753. I. Copy of the letter of St. Jago del Castillo to the Archbishop of Cuba. 17-27 April 1688. *Spanish.* 3 *pp.*

1,753. II. Copy of the letter from the Bishop of Cuba to Santiago del Castillo. Certified by Castillo himself, 7 May 1688. *Spanish.* 2½ *pp.*

1,753. III. Relation of proceedings against St. Jago del Castillo. The Governor in Council was petitioned by Father Thomas Churchill that St. Jago del Castillo had surreptitiously obtained from the Bishop of Cuba or Chapter of St. Christopher's a foreign ecclesiastical power, to the prejudice of the royal prerogative. It was therefore ordered that the Provost Marshal should secure St. Jago until he had given security not to leave the island until the King's pleasure should be known. The order was signed and given to the Provost Marshal that night. The Provost Marshal might have been at Port Royal, where St. Jago lived, without an effort, by six o'clock next morning. St. Jago was publicly about the streets till ten o'clock, yet was not secured by the Marshal all that day or night. On the day again following Smith Kelly, the Provost Marshal, had the impudence to come to the Governor and acquaint him that the Attorney General, Simon Musgrave, had advised him to consult his Grace whether he might break open any door, St. Jago being in his own house. His Grace told Kelly he was indeed a pretty Attorney General that sent him on such errands on such an occasion and at such a time, but that since he was come he would give him a power, which he did. That very night St. Jago sailed away in a sloop of his own, doubtless not without the knowledge, if not by the advice and consent, of the Attorney General and Provost Marshal. Next day the Governor ordered St. Jago's estate to be secured. *Copy.* 1 *p.* *Endorsed.* Recd. 23 July 1688. [*Col. Papers, Vol. LXII., Nos.* 64, 64I.-III., *and (letter only), Col. Entry Bk., Vol. XXXII., pp.* 118-122.]

[May.] **1,754.** The case of Smith Kelly, late Provost Marshal of Jamaica, and of St. Jago del Castillo stated. Father Churchill, chief pastor of the Catholic English in Jamaica, arrived there in January 1687 with the King's instructions to me [the Duke of Albemarle] to encourage and countenance him and such of his persuasion as were recommended by him, and no other. I accordingly did so, but a short time after the father had settled himself he thought it right to call together his congregation to establish rules and orders therein. In the performance of this he met with much obstruction, for one St. Jago del Castillo, a

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Spaniard, believed that the father had no authority to reform or regulate anything ecclesiastic here, and therefore violently opposed him, openly declaring that the King of England had no ecclesiastical jurisdiction in Jamaica, but that it was dependent on the Bishop of Cuba, from whom he would soon obtain a quietus for Father Churchill. He accordingly despatched messengers to Cuba and with abundance of solicitation procured a manifesto from the Chapter of Cuba against Father Churchill and his proceedings. This manifesto asserted that the King had no ecclesiastical jurisdiction in Jamaica, that Father Churchill's power was void, and his proceedings erroneous, with very contemptuous expressions conducing to the introduction of foreign authority into the island and very much derogatory to the King's dignity. St. Jago del Castillo published this document at his house, and avowed it. I thereupon called a Council and summoned St. Jago to answer, when he confessed the publication; and the matter being proved also by others, he was required to give security to answer the charge on the King's pleasure being known. He refused, and a warrant was then issued to Smith Kelly, the Provost Marshal, to arrest him. Kelly gave St. Jago private notice of the proceedings against him, so that St. Jago had an opportunity of escaping. This being proved, as well as several other charges of extortion and oppression, I suspended him, and appointed a substitute until the patentee should appoint another deputy. Kelly not only refused to acknowledge his suspension, but seized and imprisoned the substitute whom I had nominated, and declined to hand over to him the records. He was then summoned before the Council, but did not appear, and it is now said that he is fled from the island. 2 *pp.* *Endorsed.* Recd. 25 July 1688 from the D. of Albemarle. [*Col. Papers, Vol. LXII., No.* 65.]

May 12. **1,755.** Minutes of Council of Virginia. The attitude of the Assembly as to the proposed conference respecting the act for restraining the planting of tobacco considered. The Council resolved that it would be better that the Assembly should be dissolved. [*Col. Entry Bk., Vol. LXXXIV., pp.* 289-292.]

May 14. **1,756.** Copy of an Act of New Jersey to raise a penny per pound upon estates for the assistance of New York. 3 *pp.* *Endorsed.* Recd. 20 Sept. 1689. [*Col. Papers, Vol. LXII., No.* 66.]

May 15. **1,757.** Sir John Witham to [William Blathwayt]. I know from my own knowledge that Mr. Chamberlain's estate is heavily encumbered, and I have seen his quarrelsome and drunken humour here in England. $\frac{1}{4}$ *p.* *Annexed,*

1,757. I. Sir John Witham's reasons against the admission of Mr. Willoughby Chamberlain to the Council of Barbados. Chamberlain is deeply in debt, and has boasted that he will defeat his creditors by getting into the Council. He is quarrelsome and drunk almost every night, and will sometimes beat the ordinary sort of people within danger of their lives. 1 *p.* *Copies.* [*Col. Papers, Vol. LXII., Nos.* 67, 67I.]

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May 15. **1,758.** Minutes of Council of Barbados. The King's letter of 22 January concerning pirates read. Order for the proclamation to be published. Also was read the King's letter respecting the Treaty of Neutrality. The Assembly brought up bills to continue expiring Acts, for the better governing of servants and for confirming the lease of Fontabelle, which were passed into Acts. Order for payments for fortifications, and of gunners' wages, and for rebate of duties. George Lillington sworn of the Council. [*Col. Entry Bk., Vol. XII., pp.* 85-89.]

May 16. **1,759.** Minutes of Council of Jamaica. The Attorney General, Sir Richard Dereham, sworn to keep the secrets of the Council. His Grace informed the Council that Mr. Lynch, having taken several French privateers, was about to leave the island without trying them. Mr. Lynch being told that it would be convenient to try them, answered that he awaited the King's orders. Charles Sadler, being believed to be privy to Castillo's escape, was ordered to give security not to leave the island without permission for twelve months. Orders concerning accounts, and for survey of the King's house at Port Royal. [*Col. Entry Bk., Vol. XXXVI., pp.* 228A, 229.]

May 17.
Virginia. **1,760.** The Secretary of Virginia to the Earl of Sunderland. God be thanked, all is peaceable and quiet here. Being free from alarm of Indians, everyone is driving on for a crop, though the present drought gives little prospect of one. We have not had a drop of rain worth mentioning since March, whereby all sorts of English grain will suffer much, and Indian corn hardly makes an appearance out of the ground. Unless we have much rain within a fortnight, there will be a scarcity of grain. I must give you an account of the late meeting, I wish I could say sessions, of the Assembly, convened principally to pass an Act prohibiting the export of bulk tobacco. The Governor recommended the measure, not doubting of ready compliance, since the King suffered the matter to be dealt with by Act instead of using the royal prerogative to forbid such export. This was the first matter given into their hands, the last being the repeal of the Act of 1686 restraining the planting of tobacco after the 30th of June. Some bills were also prepared, but few of moment, and such as were of moment were fully provided for in the revised collection of laws which was sent to the burgesses for their consideration and concurrence. This most necessary work was not considered, for debates of grievances jostled out all matters of importance, and the Governor, finding the law as to bulk tobacco set aside, and that the burgesses were in error as to the law to restrain planting, proposed a conference between the Council and burgesses. He hoped that in a free conference heats might be laid aside and a good understanding arrived at. The burgesses, however, returned him no answer until two days before their dissolution, and the conference then desired by the burgesses was on grievances, which were duly set forth in writing, with such grievous and bitter expressions that no success could be expected; and the conference was therefore declined in the hope that a little time would allay

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these heats and jars and make room for moderation. The grievance first insisted on was a royal proclamation repealing a law concerning attorneys, passed in 1682. The question was raised whether a law made by an Assembly in the Colonies could be repealed by proclamation, but this point was only lightly and indirectly touched. The other question was whether, when a law was made by a former Assembly, and repealed by a subsequent Assembly, and the repealing law repealed by royal proclamation, the original law was restored to force. The Council's opinion was that it was restored. The next grievance was the fee of 200 lbs. of tobacco demanded for the seal affixed to patents and other public documents by the Governor. The principal argument employed in favour of the fee was taken from the words of the Governor's commission, authorising him to keep and use the seal. The Governor looks upon the fee as a perquisite. If the King would decide what the fee shall be it would heal all disputes. The next grievance was the fees demanded by the master of the escheat office. This appears to be not an unprecedented fee and not unreasonable, as the officer has often to go fifty miles from home. The next grievance was a small fee of thirty pounds of tobacco charged by my clerk for recording surveys of lands, which though approved most necessary, was excepted against because it is laid down by order of the Governor and Council. I would submit that the record of surveys is so necessary that no patent of land should be issued except from that foundation, and that so small a fee, worth not above seven or eight pounds sterling in the year, is no country grievance. To me it is a matter of so small advantage, that, but for the order of the Governor and Council, I should not put my clerk to so much writing for so small a consideration. The last grievance was that fines and forfeitures ought to be accounted for to the Assembly and applied to the payment of the Government's expenses. It was answered that all fines and forfeitures are of right in the Crown, and that if the King vouchsafe to appropriate them to the use of the Government it should be to such uses as he shall appoint. The fines and forfeitures are returned to the Attorney General, and by him to the auditor, but the receipts are so small that they will go but a little way towards defraying the expenses of Government. *Signed*, Nicho. Spencer. 5 *pp.* *Endorsed.* Recd. 3 July. Read 19 July 88. *Enclosed,*

1,760. I. Order of the Governor and Council for a fee of 30 lbs. of tobacco to be paid to the secretary for record of surveys. *Copy.* 1 *p.* [*Col. Papers, Vol. LXII., Nos.* 68, 68I., *and Col. Entry Bk., Vol. LXXXIII., pp.* 214-222.]

May 21. **1,761.** Minutes of Council of Jamaica. Order for a return of Justices of the Peace and of persons fit to be added to the commission. Report on the state of King's house read. [*Col. Entry Bk., Vol. XXXVI*, *pp.* 229, 229A.]

May 25. **1,762.** Journal of Lords of Trade and Plantations. Duke of Albemarle's letter of 11 February read (*see No.* 1,624). Colonel Needham to be recommended for the Council; the French and

Spanish ambassadors to be written to about the entertainment of pirates by the French and Spaniards in the West Indies. The Duke of Albemarle's letter of 6 March read (*see No.* 1,656). Agreed to recommend that Colonel Bourden's suspension be confirmed.

The address from the Council and Assembly of Barbados as to the new impost on sugar read (*see No.* 1,661iii.), and referred to the Treasury. Colonel Stede's letter of March 10 read (*see No.* 1,661), and his proceedings approved.

Memorandum of despatches sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 155-160.]

May 25. Council Chamber. **1,763.** William Blathwayt to Henry Guy. Forwarding the address of the Council and Assembly of Barbados respecting the new duty on sugar (*see No.* 1,661iii.), to the Lords of the Treasury for report. [*Col. Entry Bk., Vol. VII., p.* 468.]

May 27. **1,764.** Memorandum. Lieutenant Governor Stede's letter of 10 March (*see No.* 1,661) having been brought before the King at the Lord President's office, his Majesty approved his proceedings in relation to the Quakers. [*Col. Entry Bk., Vol. VII., p.* 461.]

May 30. **1,765.** Journal of Lords of Trade and Plantations. The Duke of Albemarle's letter of 6 March read. Colonel Molesworth's petition read (*see next abstract*). The Lords agreed on their report thereon (*see No.* 1,770). [*Col. Entry Bk., Vol. CIX., pp.* 161-162.]

[May 30.] **1,766.** Petition of Colonel Hender Molesworth to Lords of Trade and Plantations. On the Duke of Albemarle's arrival I was going home on leave, it being provided that, on giving security for £5,000 to answer all disputes as to half salary and perquisites, I should be allowed to go. The Duke, however, by persuasion of some ill instruments, requires security for £100,000, and on a bond which I consider unreasonable. I beg that the case may be represented to the King, and that I may be no longer detained. *Inscribed and endorsed.* Read 30 May. 1 *p.* [*Col. Papers, Vol. LXII., No.* 68A, *and Col. Entry Bk., Vol. XXXII., pp.* 94, 95.]

May 31. **1,767.** Minutes of Council of Nevis. The Governor proposed the strengthening of the forts, as a war either with France or Holland was apprehended next spring. [*Col. Entry Bk., Vol. XLVIII., p.* 168.]

May 31. St. Christopher's. **1,768.** Lieutenant Governor Hill to Lords of Trade and Plantations. Enclosing depositions [*missing*] as to depredations wrought by Spanish pirates. *Signed,* Tho. Hill. ½ *p. Endorsed.* Read 30 July 1686. [*Col. Papers, Vol. LXII., No.* 69, *and Col. Entry Bk., Vol. XLVII., p.* 327.]

June 1. Whitehall. **1,769.** Order of the King in Council. Confirming, on the recommendation of the Lords of Trade and Plantations, the suspension of Colonel John Bourden from the Council of Jamaica. *Signed,* John Nicholas. [*Col. Entry Bk., Vol. XXXII., pp.* 105, 106.]

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June 1. Whitehall. **1,770.** Order of the King in Council. Report of Lords of Trade and Plantations. On the petition of Colonel Molesworth (*see No.* 1,766), we recommend that the Duke of Albemarle be commanded to let Colonel Molesworth repair to England forthwith, and that, if he have complied with the royal instructions, he be not hindered in any way whatever. Ordered accordingly. Lord Sunderland to cause a letter to be prepared to the Duke. *Signed,* John Nicholas. [*Col. Entry Bk., Vol. XXXII., pp.* 96, 97.]

June 1. **1,771.** The King to the Duke of Albemarle. A letter in the terms of the foregoing order, with a copy of the bond to be required of Colonel Molesworth. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XXXII., pp.* 98-101.]

June 1. **1,772.** Henry Hordesnell to Lords of Trade and Plantations. I am sorry I can give you no better account of the King's dues. Some people are going from hence who will give you a plain account, if you desire it. These poor men have not been dealt with as they ought, and the covetousness of one has been the ruin of many. But the King suffers most, some £20,000 I fear, besides several hundreds which the Governor's son has conveyed to his own use. There have been very ill things done also in the execution of justice. The people here are very tractable, and I have not had above twenty-two or three trials since I came, all but three of them ejectments. I can go or stay as the King desires, but if I stay I beg for a salary, as all the profit I have got does not amount to half of my expense. I have examined the persons who will attend you from here, and have found no untruth in them. They are men of good credit, will own their error, and explain why they were obstinate at first. I beg your favour on their behalf. I send a copy of the grand jury's presentment, *verbatim,* according to their own method. I have looked to the particulars therein mentioned, except the question of schoolmasters, for the Governor has laid it down that no schoolmaster shall teach and no midwife practise without his licence. The Assembly's Acts set up by the Governor in opposition to the King's laws are of little value. This place now suffers from the Governor's prohibition of whale-fishing. The season is over; and there is no oil, so they cannot make up their tobacco for want of light. I hope that after the loss of the King's customs last year you will allow the people free trade. If the King will add the Bahamas to this Government it will soon become considerable, for these islands are too thickly peopled. Young men grow up daily and there is no land for them to settle on. Pardon me for mentioning these things. The Governor does things as if he intended nothing but the country's ruin and his own interest, cloaking his illegal actions under the King's name. The people are easy and tractable, but have so long been harassed by arbitrary actions that the country is half distracted, willing to do anything to serve the King, but finding that which is ordered one day contradicted the next. About a fortnight ago seventy pirates came in in a Portuguese man-of-war, who submitted to the royal proclamation. I hope the Governor has made enough profit out of

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this to repay the thousands due to the King which he has taken from others. He has given the poor men a certificate that they are free, but has taken no security that they shall pursue the proclamation, nor will he permit them to enter their names and abodes in the Admiralty. They ought to have taken the oath of allegiance and been passed into England. They were late for the term prescribed by the proclamation, but I believe they came in as soon as they heard of it. *Signed*, H. Hordesnell. *P.S.* The Governor has pressed the mate of the vessel that carries this and has used all violence to prevent my writing to England. A guilty conscience. [*Col. Papers, Vol. LXII., No.* 70, *and Col. Entry Bk., Vol. XVIII., pp.* 159-165.]

June 2.
Nevis.

1,773. Governor Sir Nathaniel Johnson to Lords of Trade and Plantations. I send herewith the Attorney General's report on the state of the islands (*see No.* 1,706). If Mathews applies for a confirmation of his title, which I have refused, you will not be surprised. Mr. Crispe, who opposes the establishment of the Court of Exchequer in St. Christopher's, is represented to me by the officers of the customs and of the Royal African Company as a persistent smuggler of negroes and sugar to and from the Dutch Islands. I suggested to him that the judges of the Exchequer might be paid by fees, to which he replied that they could do that without my help; but what he wanted was a salary paid from the King's coffers. I have lately suspended both him and Mathews from the Council, and put John Barry and Daniel Fogarthy in their places. As to the question of titles in St. Christopher's, I send copy of Lord Arlington's explanation of the Treaty of Breda, and should be glad to know if it be genuine. All kinds of complicated questions are likely to come before me, and I should be glad of instructions. Again, there is an Act of 1681 against employing any French servants except tradesmen, which makes the French murmur much. Whatever the necessity for the Act when it was passed, it is a great disadvantage now, for there are scarce six French families now in the English quarters. If the Act were dispensed with it would be a great benefit. It would be a great advantage, too, if I could grant letters of denizenation and secure strangers, particularly French Protestants, as settlers. The Dutch and Danes strengthen themselves much in this way. The Governor of St. Thomas' has caused instruments inviting strangers to be scattered about these islands, which I have much resented, as I find that in his proposals he claims Crab Island for the King of Denmark. Sir William Stapleton opposed some attempts of this kind on the part of the same Governor, so I have told him that I shall obstruct any attempt of his to settle the island.

There is now a Danish African Company established to carry on a trade with the Spaniards in negroes, which will be very detrimental to Jamaica and to the Royal African Company also, by sending slaves clandestinely into these islands, which is constantly done, despite all our vigilance, from St. Eustatia. Again, free ports at St. Thomas' and St. Eustatia will much encourage interlopers to trade to Africa. If I am to check such violations of the Acts of Trade and of the African Company's Charter I must have a man-of-war provided for me. I have lately permitted about fifty men to go to Crab Island from here, but have granted them no commission, and shall not allow the people to go thither from Tortola and Anguilla without your orders. Indeed, the drought has been so severe as much to distress the poorer classes, so I could not detain men here against their wills who wished to go to a better furnished island. Another interloper has been here, and had landed some sixty slaves at Montserrat, when the Lieutenant Governor rode up to the landing place, and she sailed away. All the slaves were seized. She landed some men, if not all, a few days later, and some of them also were seized. I have condemned the first sixty as lawful seizure, and await evidence to condemn the rest. The ship escaped, as I had no man-of-war to send after her, and I cannot hope to seize more slaves. The Company's officers were riotously opposed when seizing these negroes, and I have ordered a prosecution of the offenders, which I hope will have a good effect. These negroes are the first that were ever condemned here. Formerly such cases were tried at common law, when juries would not be satisfied with any evidence, but I transferred this case to the Admiralty Court. The Company's factors have reported the affair at length. The Company, of course, suffers from interlopers, but by the smuggling from the Dutch Islands the King also is a loser, as it occasions the conveyance of our sugar to the Dutch Islands. I have established certain ports of shipment since I came, and forbidden shipment from any other places, but I want a man-of-war to enforce the rules. The only way to check this contraband trade is to authorise the arrest and examination on oath of suspected persons, who, on refusing to answer the accusation, should be esteemed guilty. A royal proclamation to this effect would do much to destroy this trade, but it cannot be utterly put down except by destruction of the Dutch and Danish settlements. I send copies of the petition of the Secretary and Marshal of Montserrat and of my order thereon, and other orders and regulations as to Roman Catholics referred to in my letter of 3 March. I move this evening to Antigua. I send the Act passed to encourage me to reside there. I hope that it will be confirmed, as my expenses are great and much increased by the drought. I have taken care for the farm of a small plantation for stock and provisions for my family, but cannot afford to provide the necessary labour. May I beg you to intercede for the King's share of the seizure above reported for me. I enclose the form of patent that I use, for your approval. I may add that I think Mr. Hutcheson's project for a rent upon patents is practicable, and that the Lieutenant Governors could be maintained thereby. The confirmation of the Act herewith sent, together with the rents that might be reserved in Antigua, will make me also as independent of the inhabitants as the Lieutenant Governors would be. The King would be at no additional charge. I believe the island will continue the yearly pension to future Governors to encourage them to reside in Antigua, and by degrees provide an estate for the Governor to the annual value of the pension.

1688.

I beg your perusal of the last sheet of Mr. Hutcheson's report in relation to the office of Attorney General. *Signed*, N. Johnson. 10 *pp.* *Endorsed.* Recd. 26 July 1688. *Enclosed*,

1,773. I. Lord Arlington's instructions for the execution of the Treaty of Breda. 1½ *pp.* *Endorsed.* Recd. 26 July 1688.

1,773. II. Docket of the grant of the Secretary Provost Marshal's office of the Leeward Island to Garret Cotter. July 1679. *Copy.* 1 *p.*

1,773. III. Deposition of John Barry. To the effect that he addressed himself to Lieutenant Governor Thomas Hill for toleration for Roman Catholics, but was refused. Then addressed himself to Sir Nathaniel Johnson, who at once granted permission for them to exercise their religion. Sworn 22 May 1688. 1 *p.*

1,773. IV. Deposition of John Martin. That Lieutenant Governor Hill declared he would not obey the order for toleration of Catholics. Sworn 22 May 1688. ½ *p.*

1,773. V. Order of the Council of St. Christopher's, 24 March 1688. Professing its ignorance how to execute Sir Nathaniel Johnson's commission to sit as a Court of Exchequer. *On same page.* Extract from Colonel Hill's letter to Sir Nathaniel Johnson reporting the same. *Copies.* The whole 1 *p.* *Endorsed.* Recd. 25 July 1688.

1,773. VI. Act of Montserrat for surrendering the titles of the whole island to the King, passed 16 April 1668. *Copy.* 1½ *pp.* *Endorsed as the preceding.*

1,773. VII. Act of Montserrat, for confirming the titles of the inhabitants, passed 17 April 1688. *Copy.* 1½ *pp.* *Endorsed as the preceding.*

1,773. VIII. Act of Antigua, for settling the present inhabitants on their lands, passed 11 April 1688. *Copy.* 2 *pp.* *Endorsed as the preceding.*

1,773. IX. Act of Antigua, for promoting the settling of the island. 10 April, 1668. *Copy.* 1¼ *pp.* *Endorsed as the preceding.*

1,773. X. Act of Antigua, for declaring old titles, lost by the French conquest. 10 April 1668. *Copy.* 2 *pp.* *Endorsed as the preceding.*

1,773. XI. Act of Nevis for confirmation of titles of lands. 8 April 1664. *Copy.* 2½ *pp.* *Endorsed as the preceding.*

1,773. XII. Act of Nevis for ascertaining lands, etc. 8 May 1680. 2½ *pp.* *Endorsed as the preceding.*

1,773. XIII. Patent for grant of land given by Sir William Stapleton. 1681. *Copy.* 1 *p.* *Endorsed as the preceding.*

1,773. XIV. Form of patent for land grants used by Sir Nathaniel Johnson. 4 *pp.* *Endorsed as the preceding.*

1,773. XV. Instrument of the Governor of St. Thomas', claiming Crab Island for the Danish Crown. *Signed*, A. Esmit. *Danish.* 2 *pp.* *Endorsed as the preceding.* [*Col.*

Papers, Vol. LXII., Nos. 71, 71I.-XV., *and (letter only) Col. Entry Bk., Vol. XLVI., pp.* 328-341.]

June 4. **1,774.** Journal of Lords of Trade and Plantations. Letter from the Commissioners of Ordnance read (*see No.* 1,783). Agreed to lay it before the King; agreed also to recommend leave to Sir Nathaniel Johnson and Colonel Blackiston to accept the presents made them by the island of Montserrat.

Petition of Sir John Shorter and others as to mines in New England read, and referred to the Commissioners of the Treasury.

Abstract of Colonel Dongan's letters read, with his letter of 19 February. The matter to be represented to the King.

Sir Robert Robinson's letter of 28 January read (*see No.* 1,610). Agreed that James Smailes take his remedy at law. Mr. Hordesnell's letter of 19 January read (*see No.* 1,597). Agreed to recommend that he be allowed to come home.

Lord Howard of Effingham's answer to Captain Croft's complaints read. Agreed to lay it by till his return, the Lords being satisfied of his good behaviour and the misbehaviour of the captains.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 163-171.]

June 4. **1,775.** Minutes of Council of Jamaica. Proclamation ordered prohibiting all fishing at the wreck without his Grace's leave. Petition of the French pirates against their imprisonment by Mr. Lynch read, and consideration deferred until Mr. Lynch's return. John Short granted a patent for twelve months to set up a general intelligence office. His Grace announced that he should send H.M.S. Assistance to Carthagena to demand the English prisoners. [*Col. Entry Bk., Vol. XXXVI., pp.* 229A-230A.]

June 4. Jamaica. **1,776.** Proclamation of the Duke of Albemarle, forbidding all persons to fish on the wreck at Hispaniola without his licence. *Large sheet.* [*Col. Papers, Vol. LXIII., No.* 1.]

June 6. Jamaica. **1,777.** Governor the Duke of Albemarle to Lords of Trade and Plantations. In my last I told you that I had displaced the Attorney General and the Deputy Provost Marshal. The latter, hearing that a warrant was issued against him, fled from justice in one of the ships that sailed yesterday. Colonel Samuel Barry went with him, without asking leave as the law requires. Mr. Lynch has sailed in H.M.S. Drake for Carthagena and Porto Bello, leaving the French pirates prisoners here as when I last wrote. You will have heard before this of Sir John Narborough's death. He wrote to me before his death of his progress at the wreck, and I shall send some sloops there to see if anything is left. I have issued a proclamation forbidding any ship to visit it without my leave. I am likely to be a great loser by the last voyage, and shall be at great expense in maintaining the ships and sloops that will need be employed there, so I hope that the King will not tie me to the latter contract from the time of Sir John's death. *Signed*, Albemarle. 1¼ *pp. Endorsed.* Recd. 26 July 1688. [*Col. Papers, Vol. LXIII., No.* 2.]

1688.
June 6.
Bermuda.

1,778. Governor Sir Robert Robinson to Lords of Trade and Plantations. I have at last, though with much trouble and difficulty, completed for you a book of the general matters referring to these islands. The secretary, since my arrival, has been constantly ill, and I could find no proper assistant in the work, but I hope this report may prove satisfactory. The forts are repaired and fitted with sundry battlements, on which I have mounted all the guns that could be spared, and I am looking for more guns from some wrecks in the neighbourhood. I have also built two new forts to the west, with a fort at the Ferry point, which I hope will not only keep off an enemy but check illegal trade among our own craft. In the fourth article of their petition the people ask for liberty to take their vessels to such harbours as they please after performing the duties required by law. I know not what they mean by this, except to evade being searched, for the right has never been denied to them. I have lately erected a town platform and several battlements, which are not only very ornamental to St. George's, but command the whole harbour. There are now seventeen sail in the harbour, the greatest number ever known. I have done my utmost to procure the King's moiety, and should have written more at large by Captain Frowde had he apprised me of his departure. Some of those who beg for remission of paying this due are well able to pay it, but the poorer of them have spent all they got, and are poorer than ever. Notwithstanding all possible care, the great ones have favoured or rather injured themselves much in defrauding the King's customs, especially by carrying off 250,000 lbs. of tobacco, so that Captain Bee has not half a cargo for his ship. The people have given over all thoughts of building a house for the Governor, so that I and my family are still lodgers. I beg you to let me know whether the Governor and Council are not the Chancery here, whether persons may not appeal to other than the present judge, and whether it does not lie with the Governor and Council to summon all courts as occasion requires. I wish measures to be taken for the recovery of the King's lands and slaves. *Signed*, Robt. Robinson. 2 *pp.* *Endorsed.* Recd. 25 July 1688. [*Col. Papers, Vol. LXIII., No. 3, and Col. Entry Bk., Vol. XVIII., pp.* 169-173.]

[June 6.] **1,779.** The book referred to in the foregoing letter. *Pages* 1-19. Minutes of Council of Bermuda. April 10, 12, 20, 1687. Arrival of the Governor and swearing in of himself and of his Council. *May* 3. Swearing of additional Councillors. *May* 12. Justices of the Peace sworn. *May* 25. "Several small matters." *May* 31. Persons appointed to enquire into Governor Cony's proceedings towards Richard Stafford and others. *June* 3. The proposals to be laid before the Assembly considered. *June* 6. The Council and Assembly sworn. *June* 7. Mr. Stafford refusing to serve as an Assembly man, his commission as Attorney General was cancelled. *June* 8. The Council assented to the Assembly's proposal that for the present the public rents should be applied to pay public expenses. *June* 16. The case of James Smailes was referred to a committee. *June* 17. Several Acts read and some returned for amendment. *June* 30. Several Acts were read. Agreed that enquiry should be made about the damages sustained by the inhabitants from Colonel Cony. *July* 24. Joseph Stow sworn of the Council. *August* 1. Report on Smailes's case. Richard Stafford's declaration read. *August* 15. Order for two strangers from the Bahamas to appear next Council. Order for building the fort at the ferry. *Sept.* 5. Exportation of corn prohibited. A court ordered to try the man in prison. *Sept.* 12. Order for no vessel to go to the wreck without a double crew. *Sept.* 19. Several Acts read. Captain Hubbard took the oath as Sheriff. *Sept.* 21. John Tucker's patent as Provost Marshal read, and Captain Hubbard sworn as his deputy. *Sept.* 22. The prisoner tried, found guilty, and sentenced to death. *Sept.* 24. Several Acts presented by the Assembly. *Oct.* 10. Order for a watch to be kept and proper alarm posts established. Sundry small business. *Oct.* 25. Samuel Trott sworn of the Council. A case examined, arising out of the wreck. *Oct.* 29. Assembly prorogued. *Nov.* 10. Captain Hubbard appointed Treasurer. James Smailes's complaint against him read. *Nov.* 28. Order for a house to be built to accommodate passengers at the ferry. *Dec.* 7-9. Petition of the Assembly to the King sent up. Several Acts debated and passed. *Dec.* 10. The Governor sent several proposals to the Assembly for raising money for support of the Government, and to oblige all vessels to load and unload in the castle or town-harbours. 1688, *Jan.* 4. Report on the complaints of James Smailes. Assizes fixed for first Monday in March. *Jan.* 18. Henry Hordesnell's commission as Chief Justice read. *Jan.* 20. Proclamation for holding of the Assizes. Acts of the Assembly read and confirmed. Assembly adjourned to the first Monday in February. *Feb.* 3. "Several matters of little moment." Assembly adjourned to a month later. *Feb.* 10. Charles Walker suspended of the Council and Arthur Jones sworn in his place. The Governor's and Chief Justice's instructions read and to be recorded. *Feb.* 11. Order for a list of persons who retail liquor without a licence. Five of the Council to wait on the judge and move to him the necessity of having assistants. *March* 3. Assembly prorogued. The four assistants to the judge ordered to wait upon him. Attestations presented against Mr. Bysshe, who made little answer. *May* 21. Order for an assessment to be made immediately, for a levy. Order for the number of liquor sellers in each tribe to be determined. The Governor announced that he had called upon Thomas Cooke, lately arrived from the South Seas, to give security, under the King's proclamation for calling in pirates. *List of the principal officers.* Council. William Green, Laurence Dill, Thos. Foster, Sam. Trott, John Robinson, Joseph Stow, Arthur Jones, Perient Trott, John Hubbard, Thomas Outerbridge, William Pitt, Richard Peniston. Captains of Militia. William Seymour, Francis Dickinson, Copeland Lee, Edward Johnson, John Tucker. *Here follow four blank pages.* Speech of the Governor to the Assembly and the Assembly's reply. The Assembly's remonstrance against the tax of a penny a pound on tobacco, the Governor's reply, and a further address from the Assembly. The Assembly's reasons

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for refusing a duty of two per cent. on all plate brought from the wreck. The Assembly's petition to the King for the objects named in the address of the Grand Jury (*see No.* 1,704). *pp.* 22-37.

Address of the Council and Assembly to the Lords of Trade and Plantations, forwarding their Acts for confirmation. *These Acts are transcribed in full. p.* 3. Act against profanation of the Sabbath; Act to vacate the late Company's bylaws; Act to establish Courts of Jurisdiction; Act fixing the qualifications of jurors; Act to regulate defects about pleadings in the Grand Court; Act against moving boats from their moorings without the owner's leave; Act for preservation of boundaries; Act for prevention of trespasses by cattle; Act against stealing provisions; Act against destruction of buttaine wood; Act against trespasses; Act for speedier recovery of debts; Act giving jurisdiction to a justice of the peace to decide debts up to five shillings; Act for recovering debts from insolvent persons; Act concerning Spanish money; Act to prohibit free negroes from inhabiting these islands; Act for trying negroes in all criminal causes; Act concerning the Castle and Pagett's Fort; Act for a mount-keeper; Act for encouragement of a pilot; Act against pirates; Act for powder-money; Act to present differences concerning imported dry goods; Act against engrossing corn and provisions; Act for maintaining public bridges; Act for regulating fees; Act for the secretary's giving copies of records; Act for highways; Act to prevent the destruction of young cedars; Act for making good tobacco; Act for apprentices and for forcing idle people to work; Act for vacating all existing bonds against selling vessels; Act defining a lawful warning for a tenant at will; Act to prevent the poor from moving from one tribe to another; Act against disseizing without verdict of a jury; Act for the registering of Acts of Assemblies; Act to fix the numbers of the Assembly; list of temporary Acts passed before the Governor's arrival and now expired. *pp.* 38-76. *Here follow several blank pages.*

Report of the committee appointed to enquire into the damages and hardships sustained by Richard Stafford William Keele, George Bascom, and William Righton (deceased), through their hard usage and imprisonment by Governor Cony. We find the following damages. Richard Stafford, £500; William Keele, £250; George Bascom, £250; Sibilla Righton (widow of William Righton), £300. 28 July 1687. *pp.* 77, 78.

Report of the committee appointed to enquire into the case of James Smailes. Recommending that the parties be left to settle their differences by common law. *pp.* 78-80.

Further report on James Smailes's affairs. Finding that Smailes has been audacious in many of his charges, and recommending that some of the matters be settled by arbitration. *pp.* 81-83.

Account of the treasure brought in from the wreck from July 18, 1687. *pp.* 84-88.

Abstract of the presentment of the Grand Jury at the Assizes (*see No.* 1,704). *pp.* 89-94.

Accounts of money received and paid for the public service of Bermuda. July 1687 to May 1688. *pp.* 95-99.

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Account of the castle and forts. *pp.* 100, 101.

Account of the militia (½ *p.*). *p.* 101A.

General account of the soil, the people, and their occupations. *Signed,* Robert Robinson. *pp.* 102-106. *Inside the book is inscribed,* Recd. 24 July 1688. [*Col. Entry Bk., Vol. XIX.*]

June 7. Jamaica. **1,780.** Order of the Duke of Albemarle for enquiry to be made as to fines and forfeitures due to the King; the duty to be entrusted to Sir Richard Dereham, Attorney General. *Copy.* 1 *p.* *Endorsed.* Recd. 10 Oct., 1688. [*Col. Papers, Vol. LXIII., No.* 4.]

1,781. Duplicate of foregoing. [*Col. Papers, Vol. LXIII., No.* 5.]

June 8. **1,782.** Minutes of Council of Jamaica. Colonel Needham sworn of the Council. The Governor of Petit Guavos having asked for the surrender of the French pirates, Mr. Ralph Knight, deputy to Mr. Lynch, declared that he was not empowered to interfere with what Mr. Lynch had already done, but that the goods of the pirates were safe and accounted for. [*Col. Entry Bk., Vol. XXXVI., pp.* 230A.-231.]

June 9. **1,783.** Commissioners of Ordnance to the Master General. We have received from Colonel Powell the annexed list of ordnance required for Antigua, all of which are in store and ready to be delivered. *Signed.* Hen. Sheie, T. Gardiner, Phil. Musgrave, Ja. Rothwell. *Copied below.* List ordnance required for Antigua.

Demi-culverins,	4	Shot	160
Sackers	10	,,	400
Minions	6	,,	240

also 280 shot for seven seckers already mounted. *Signed.* Ed. Powell. 24 May, 1688. [*Col. Entry Bk., Vol. XLVII., pp.* 320-321.]

June 9. **1,784.** Minutes of Council of Nevis. The Deputy Governor's Commission read. A message to the Assembly as to the repair of gun-carriages was answered, that the Assembly's time was expired. Order for the election of a new Assembly. [*Col. Entry Bk., Vol. XLVIII., pp.* 168, 169.]

June 10. Council Chamber. **1,785.** Lords of the Council to the Governors of Colonies. The Queen was delivered of a Prince about ten o'clock this morning. You will proclaim the fact, and appoint a day for public thanksgiving and for public rejoicings suitable to the occasion. *Signed.* Sunderland, Craven, Powis, Middleton, Castlemaine, N. Butler, E. Petre. [*Col. Entry Bk., Vol. C., pp.* 32, 33.]

To Jamaica	*Vol. XXXII., pp.* 107, 108.
,, Leeward Islands	*Vol. XLVII., p.* 318.
,, Bermuda	*Vol. XVIII., p.* 175.
,, New England	*Vol. LXII., pp.* 16, 17.
,, Virginia	*Vol. LXXXIII., pp.* 212, 213.
,, Proprietors of Carolina	*Vol. XXII., p.* 141.
,, Barbados	*Vol. VII., p.* 470.

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June 10. Whitehall. **1,786.** The King to Lord Howard of Effingham. Granting him permission to return home; the President and Council to administer in his absence. [*Col. Entry Bk., Vol. LXXXIII., pp.* 209-210.]

June 10. Whitehall. **1,787.** The King to Lieutenant Governor Stede. Warrant for the discharge of John Meagher, who had unfortunately killed Robert Henderson, from confinement on bail. [*Col. Entry Bk., Vol. VII., p.* 469.]

June 11. **1,788.** Minutes of Council of Jamaica. The Naval Officer furnished an account of the goods of the French pirates. The Council considered the letter of the Governor of Petit Guavos in connection with his Grace's instructions, but came to no conclusion. Order for writs to be issued for election of an Assembly to meet 20th July. [*Col. Entry Bk., Vol. XXXVI., pp.* 231-231A.]

June 12. Treasury Chambers. **1,789.** Henry Guy to William Blathwayt. The King has added £200 more to the salary of the Governor of New England, making the total £1,400 *per annum*. The Lieutenant Governors are to have £400 a year to be paid out of the revenue there. [*Col. Entry Bk., Vol. LXII., p.* 16.]

June 12. **1,790.** Minutes of Council of Barbados. Orders for sundry payments, and for rebates of duty. [*Col. Entry Bk., Vol. XII., p.* 90.]

June 13. **1,791.** Minutes of Council of Jamaica. Sir Robert Holmes's grant of pirates' goods, and the case of the French pirates considered. Resolved that their confinement be made less strait, but that the Governor has no power to release them. Order for the pirates to give an account of their goods. Order for examination as to the treasure brought by vessels from the wreck. [*Col. Entry Bk., Vol. XXXVI., pp.* 231A.-232.]

June 14. **1,792.** Lords of the Treasury to Governor Sir Edmund Andros. Ordering him to restore four-fifths of the King's moiety of treasure, for which the master of a ship at the wreck had given security, and to reserve one-tenth only for the King. *Signed*, Belasyse, Godolphin, Ste. Fox. [*Col. Entry Bk., Vol. LXII., p.* 17.]

June 14-18. **1,793.** A sheet of the London Gazette with copies of loyal addresses to the King from several congregations in New England, and from New Plymouth. [*Col. Papers, Vol. LXIII., No.* 6.]

June 14. Council Chamber. **1,794.** Lords of Trade and Plantations to the King. Recommending permission to Sir Nathaniel Johnson and Lieutenant Governor Blakiston of Montserrat to accept the gifts voted to them by the Assembly of Montserrat. [*Col. Entry Bk., Vol. XLVII., pp.* 322-323.]

June 15. **1,795.** Lords of Trade and Plantations to Master General of Ordnance. The King has approved of the despatch of the Ordnance asked for by Colonel Powell for Antigua. *Signed*, Jeffreys C. Sunderland, P. Arundell, C.P.S., Powis, Huntingdon, Bath, Craven, Middleton, Melfort, Castlemaine, John Nicholas. [*Col. Entry Bk., Vol. XLVII., pp.* 321-322.

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June 15. **1,796.** Minutes of Council of Jamaica. The French pirates attended in custody, and demanded their liberty, saying that it had been offered to them for five or six pistoles a head. Mr. Knight gave evidence of their having served under the pirate Townley. Mr. Knight was ordered to report to his Grace all occasions of his transactions with pirates in future. Letter to the French Governor prepared, and the prisoners acquainted with the Council's decision.

June 16. His Grace declared that he wished to clear himself from a malicious report that he was about to send emissaries to the Mosquito coast to hinder pirates from surrendering; the truth of which report was disproved by oath. [*Col. Entry Bk., Vol. XXXVI., pp.* 232A.-233A.]

June 16. **1,797.** Minutes of Council of Nevis. List of the Assembly.

John Smargin Jasper Wall	North-West Division.
Ebenezer Kirtland John Adye	South-West Division
Thomas Bartlett. Robert Pemberton	North-East Division.
Walter Symonds William Kitt	St. George's Parish.
John Stanley Daniel Smith	St. John's Parish.

John Smargin refusing to sit, a new writ was issued for the election of a member in his stead. [*Col. Entry Bk., Vol. XLVIII., pp.* 169, 170.]

June 16. Whitehall. **1,798.** William Blathwayt to the Attorney General. Forwarding copy of Colonel Powell's proposals (*see No.* 1,630), for his opinion. [*Col. Entry Bk., Vol. XLVII., p.* 319.]

June 17. **1,799.** Petition of Henry Walrond to the King. Sir John Witham, who was left by the committee to take his legal remedy against me in respect of his trial on Sir Richard Dutton's charges, has brought an action against me for my behaviour at that trial. I beg for copies of the records, or judgment will be given against me. *Inscribed.* Order of the King that William Blathwayt attend the Court of King's Bench with the records in question. *Dated*, Whitehall, June 17, 1688. *Countersigned*, Sunderland. *The whole, one large sheet.* [*Col. Papers, Vol. LXIII., No.* 7.]

June 19. **1,800.** Warrant of the Lords Proprietors of Carolina to Governor James Colleton, for the grant of 12,000 acres to Doctor Christopher Dominick, he having paid £600 for the same. A rent of one penny per acre to be reserved. *Signed*, Craven, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 140.]

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June 20. **1,801.** Governor the Duke of Albemarle to Lords of Trade and Plantations. Since my last I have received a letter from the Deputy Governor of Petit Guavos with the commission given to the French privateers and a pardon to all sorts of nations that shall submit to their Government. I have been much concerned as to my own action in the matter, having two instructions from the King, one of 13 October and one of 22 January, the former ordering me to suppress pirates, the other to take care that no hurt be done to French subjects. After much consultation with the Council I sent an answer to the French Governor. I have put Colonel Needham into the Council and called another Assembly for the 20th prox. I hear that Mr. Lynch offered to release the French privateers at £6 a head. If so, I see no reason for detaining them longer, Lynch having already effects of theirs, to a greater value than that, in his possession. *Signed,* Albemarle. 2 *pp.* *Endorsed.* Recd. 13 Sept. 1688. *Enclosed,*

1,801. I. The Governor of Petit Guavos to the Duke of Albemarle. I send copy of the commission given by Mons. de Franquesnay to the privateer captains. I assure you that their troops only went out under good orders to check the hostile acts of Spain against French subjects. I hope that your sense of justice will be with you in your dealing with the poor men arrested by Mr. Lynch. It is true that as Sir Robert Holmes's commissary he has a right to arrest all pirates and make them give an account of their past lives, but his functions extend to English subjects only. I grant, too, that these men did not return to this coast at the time prescribed by their commission, but the King, of his usual mercy, has granted them amnesty for this. It is true, also, that these men did not give themselves up within the time allowed them to claim a pardon, but you have express powers to meet such cases, and have made use of them. The men detained at Jamaica ought to receive the same indulgence. The Treaty of Neutrality should, I think, be also taken into account. I hope, therefore, that you will do justice to these poor men and release them. They have never harmed an English subject and are detained only for petty greed of gain. I write in the absence of M. de Cussy. *Signed,* Dumas. Dated 10 June 1688. *French.* 3 *pp.* *Endorsed.* Recd. 13 Sept. 1688.

1,801. II. Copy of a commission granted by Le Sieur Franquesnay to Captain Francis Grognet, to make one voyage. *French.* 2 *pp.* *Endorsed as the preceding.*

1,801. III. The Duke of Albemarle to the Governor of Petit Guavos. I have received your letter, and regret that I cannot give the compliance to the late Treaty of Neutrality that I could wish. (1.) The King, by a recent proclamation, appointed Sir Robert Holmes sole commissioner for treating with all privateers, and bade all his Governors to assist him therein. (2.) Also by two several letters the King commands me to desist

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from all prosecution of pirates except by Sir Robert Holmes' order. (3.) As these men were seized by Sir R. Holmes's order, I am positively forbidden from interfering in the matter, except in giving him assistance. (4.) I have information that these men have, since the date of their commission, fought under command of an English pirate. I am glad that you know of my King's proclamation, for you will see how rigidly I am forbidden to enter into any treaty with pirates or to discharge them. I desire to fulfil the Treaty of Neutrality as perfectly as I can, but I cannot in the face of my other orders and of the laws of my country release these men. I have, however, lost no time in referring the matter to the King. *Signed*, Albemarle. *Copy.* 3 *pp.* *Endorsed.* Recd. 13 Sept. 88. [*Col. Papers, Vol. LXIII., Nos.* 8, 8I.-III., *and (letter only) Col. Entry Bk., Vol. XXXII., pp.* 132-134.]

June 20. **1,802.** Governor the Duke of Albemarle to the Earl of Craven. The enclosed papers from the Governor of Petit Guavos will shew you my difficulties in carrying out the Treaty of Neutrality and the proclamations and letters respecting Sir Robert Holmes. I have not known what to do amid these contradictory orders. Please acquaint the King, and obtain instructions for me. *Signed*, Albemarle. 1 *p.* *Endorsed.* Recd. 20 Sept. 1688, from the Earl of Craven. [*Col. Papers, Vol. LXIII., No.* 9.]

June 20.
James Island, Gambia.
1,803. Alexander Cleeve to the Royal African Company. In my last I told you that a French man-of-war had been here, spreading vague reports that it had orders to seize all vessels trading on the coast, that English influence was waning, that the English would have to give way to the French, and that if they met the English agent ashore they would have his life. I thought it prudent to put myself in a state of defence till the man-of-war sailed away. Shortly after she met the Company's ship Lady Mary at Goffoda and treacherously captured her. Some of the crew escaped and made their way here, whose depositions I took and enclose herewith. *Extract.* 2 *pp.* *Endorsed.* *Annexed,*

1,803. I. Deposition of William Heath and others, mariners, of the Royal African Company's ship Lady Mary. Narrating the capture of the ship by vessels flying French colours while she lay in the River Grande, on the coast of Guinea, on 26 May 1688. 2½ *pp.* *Endorsed.* [*Col. Papers, Vol. LXIII., Nos.* 10, 10I.]

June 20. **1,804.** Minutes of Council of Virginia. The Council proposed an annual salary of £30 to the clerk of Council. William Byrd gave bond for the performance of his duties as auditor. Representation to the King begging him to fix the fee that shall be taken for the affixing of the great seal. [*Col. Entry Bk., Vol. LXXXIV., pp.* 297-299.]

June 20. **1,805.** Extract from minutes of Council of Virginia. Representation of the Council that the sum of £103 3*s.*, with common

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interest, shall be paid to Ralph Wormeley as the assignee of Cuthbert Potter for the freight of certain guns, the debt being due to Potter since 1673. 2 *pp.* *Annexed,*

1,805. I. Copy of an order of the Assembly, 8 June 1680, for payment of the sum above named to Cuthbert Potter. 1 *p.* [*Col. Papers, Vol. LXIII., Nos.* 11, 11I.]

June 22. Whitehall. **1,806**. Order of the King in Council. Approving the acceptance by Sir Nathaniel Johnson and Nathaniel Blakiston of the gift voted to them by the Assembly of Montserrat. *Signed,* John Nicholas. [*Col. Entry Bk., Vol. XLVII., p.* 323.]

June 24. **1,807**. Returns of shipping arrived in Jamaica, from 25 March to 24 June 1688. 10 *pp.* [*Col. Entry Bk., Vol. XXXIII.*]

June 25. **1,808**. William Blathwayt to Henry Guy. Forwarding extracts from Mr. Hordesnell's letters of January 28 and March 19 (*see Nos.* 1,611, 1,666), as to the granting of free trade to Bermuda. 1 *p.* [*Col. Papers, Vol. LXIII., No.* 12, *and Col. Entry Bk., Vol. XVIII., p.* 177.]

June 26. **1,809**. Copies of references of the proposals as to mines in New England by the Lords of Trade to the Lords of the Treasury, and by the Lords of the Treasury to the Commissioners of Customs. Dated 14 and 21 June 1688. 1 *p.* *Over page,*

Report of Commissions of Customs, 26 June 1688. We have nothing to object to the proposals of the suggested corporation for working mines in New England, provided that the corporation be restrained from altering the plantation trade as now settled. *Signed,* D. North, N. Butler, H. Browne, Jo. Werden, Wm. Culliford. *Copy.* 1½ *pp.* *Below,*

Copy of a minute by Henry Guy, 28 June. The Lords of the Treasury do not think it advisable to pass such a grant without first receiving the opinion of the Governor of New England. [*Col. Papers, Vol. LXIII., No.* 13.]

June 27. Bermuda. **1,810**. Henry Hordesnell to Lords of Trade and Plantations. Captain John Robinson, our Governor's son, is going commander of a ship to England. He is concerned in the receipt of the King's dues by his father's order, and is generally said to have made bargains and exacted such sums for his father and himself from those who came from the wreck, that nothing is left for the King. If you will examine him on oath and confront him with the Bermudians who bring their complaint by this ship, you will find that he has exacted from them more than the King has received. Here there is little but complaints, but I fear I have troubled you too much already with such matters. Captain Robinson has desired me to beg your allowance of a shilling per lb. for the money sent home by Captain Frowde. He has stopped so much in his hands, but gave bond to pay it if required. Several ships have lately come in from the wreck. I have a few pieces-of-eight, rusty and light, which four poor sailors recently paid to me. I am obliged to use it to pay for my diet, etc. I have received one or two presents, of small value, and sent them home

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to my wife. I thought it my duty to report it. *Signed*, H. Hordesnell. 2 *pp.* Recd. 26 July 1688. [*Col. Papers, Vol. LXIII., No.* 14, *and Col. Entry Bk., Vol. XVIII., pp.* 166-169.]

June 27. **1,811.** The same to William Blathwayt. I am so very ill that I can hardly hold up my head to write. Your accounts sent home by Sir Robert Robinson were not seen by any of his Council. I would have had them sign them, but they refused. He never yet called me to a Council, but does everything without his Council, and uses their names unknown. *Signed*, H. Hordesnell. *Holograph.* 1 *p.* *Endorsed.* Recd. 26 July 1688. [*Col. Papers, Vol. LXIII., No.* 15, *and Col. Entry Bk., Vol. XVIII., p.* 174.]

June 28. **1,812.** Minutes of Council of Jamaica. Order for alteration of the minutes of April 30 and May 3, and for making the meaning of one order more clear. Fulke Rose was brought up for using scandalous words of his Grace and bound over in heavy securities to take his trial for the same. [*Col. Entry Bk., Vol. XXXVI., pp.* 233A, 234.]

June 28. **1,813.** Minutes of Council of Nevis. The Assembly was sworn. Richard Abbott elected in place of John Smargin. [*Col. Entry Bk., Vol. XLVIII., p.* 170.]

July 2.
Whitehall. **1,814.** Earl of Sunderland to Henry Hordesnell. Conveying to him the King's leave to return home. [*Col. Entry Bk., Vol. XVIII., p.* 176.]

July 4.
Whitehall. **1,815.** Lord Proprietors of Carolina to Governor Joseph West. We have received no answer to our letter of 10 October, though we have before complained of your slackness. This will be delivered to you by our secretary, and you will explain to him whether it be by accident or through your neglect that we have not heard from you. *Signed*, Craven, Bath, P. Colleton, T. Amy. [*Col. Entry Bk., Vol. XXII., p.* 145.]

July 4. **1,816.** The same to Paul Grimball, secretary. You will deliver the above letter to our Governor, and not fail to obtain his answer thereto. We gave the Governor and others powers to grant lands. You will not fail to inform us whether these powers have been published. *Signed*, Craven, Bath (for Lord Carteret), P. Colleton, T. Amy. [*Col. Entry Bk., Vol. XXII., p.* 145.]

July 4. **1,817.** Lords Proprietors of Carolina to [Governor Joseph West?]. We send you a letter we have received from the Lords of Trade as to the birth of the Prince of Wales. You will duly celebrate the occasion. On 30 September 1683, we signified to you that henceforward the Secretary should be appointed by the Palatine. You will admit the secretary so commissioned to his office. You have altered the form of writs in Carolina, wherein you have done ill. They should run in the name of the Palatine and Proprietors, as those of Durham run in the name of the bishop. You are not to hinder captains of the King's ships if they carry pirates or illicit traders to some other place for trial. *Signed,* Craven, Bath (for Lord Carteret), P. Colleton, T. Amy. [*Col. Entry Bk., Vol. XXII., p.* 146.]

July 6. **1,818.** Journal of Lords of Trade and Plantations. The Attorney General's report on East New Jersey read (*see No.* 1,822), and referred to the Lords of the Treasury. Report of the Treasury as to mines in New England to be communicated to the gentlemen concerned. Sir E. Andros's letter of 4 April read (*see No.* 1,684). Agreed to recommend that the money received from the wreck be applied to the repair of the fortifications.

The Duke of Albemarle's letter of 16 April read (*see No.* 1,705). The Lords observe that the power which the Duke desires, to put in members of Council, is what the King will not grant to Governors.

Mr. Blathwayt's report on Crab Island read (*see No.* 1,740). Agreed to move the King accordingly.

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 172-176.]

July 6. **1,819.** Memorandum of Lords of Trade and Plantations. The Lords desire Lord Sunderland to move the King that Sir Nathaniel Johnson may have orders to let the people of Tortola and Anguilla settle on Crab Island, provided it be no charge to his Majesty. [*Col. Entry Bk., Vol. XLVII., p.* 325.]

July 6. Council Chamber. **1,820.** Minute of Lords of Trade and Plantations. Ordering the attendance of the persons interested in mines in New England at next committee. *Draft, with corrections.* ½ *p.* *Endorsed* [*Col. Papers, Vol. LXIII., No.* 16.]

July 6. **1,821.** Lords of Trade and Plantations to the Earl of Sunderland. Asking him to move the King that the £200 received in New England for his tenths of silver brought from the wreck may be applied towards the fortifications in New England [*Col. Entry Bk., Vol. LXII., p.* 19.]

July 6. **1,822.** Sir Thomas Powys to Lords of Trade and Plantations. As regards the requests of the Proprietors of East New Jersey (*see No.* 1,690). (1.) This is inconsistent with Sir E. Andros's commission in the matter of free ports, but as they ask only for Perth and Amboy it is no great matter. (2, 3, 4.) These are not inconsistent with the commission. (5.) This is inconsistent with the constitution of New England. The rest is not. *Signed,* T. Powys. 1½ *pp.* *Endorsed.* Recd. 6 July 88. [*Col. Papers, Vol. LXIII., No.* 17.]

July 6. **1,823.** Rough draft of a minute referring the preceding report of the Attorney General to the Lords of the Treasury. ½ *p.* [*Col. Papers, Vol. LXIII., No.* 18.]

July 7. **1,824.** Minutes of Council and Assembly of Nevis. John Stanley chosen speaker. In reply to the Governor the Assembly made the following requests; that he would ascertain whether the petition to the King as to the additional duty had been

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despatched. The Governor proposed that the repairs to the forts should be hastened. The Assembly replied that this was provided for. The Governor pointed out the loss to the island, owing to the daily emigration. The Assembly pointed to the insolence of the negroes as a cause. A petition to the King was proposed to ask for power to get white servants, but the Assembly pointed out that this was already provided for by Act. The Assembly asked that a severe Act might be drawn against the insolence of negroes, but declined to sanction a fine on all persons declining to serve in the Assembly. The Council and Assembly concurred in an address of thanks to the King for not approving the formation of a West India Company. [*Col. Entry Bk., Vol. XLVIII., pp.* 171-175.]

July 7.
Boston.

1,825. Governor Sir Edmund Andros to Lords of Trade and Plantations. Finding it necessary to go eastward, I took the first opportunity, and viewed Pemaquid and the principal settlements as far as Penobscot, sending on also as far as St. Croix. On the news of my arrival at Pemaquid the Indian Sachems applied to me as formerly. They are very orderly, and all that one could desire. I returned here the end of May. On the 5th inst. I received the patent and instructions for this Government, communicated them to those of the Council who were present, and summoned those absent to meet next week. *Signed,* E. Andros. 1 *p. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 19, *and Col. Entry Bk., Vol. LXII., p.* 27.]

July 9.
Boston.

1,826. Governor Sir Edmund Andros to the King. I have endeavoured to ascertain the boundaries of this Government as ordered. I find that to the east and north-east along the sea coast the boundary has always been the river St. Croix and a right line drawn from thence to the river Canada [St. Lawrence]. The western bounds of Nova Scotia, to which the French only have pretence, are on that river and line as it tends by the nearest course to the river Canada; as laid down by the grant of King James I. in 1621. The country to westward of St. Croix as far as the river Pemaquid and so to Kennebec and thence to the river Canada was granted to Sir William Alexander, together with Long Island, which was conveyed by his successors to the King, together with New York. The northern parts not being fully explored, the boundaries are not otherwise defined than as in King James I.'s letters patent to New Plymouth. The boundaries eastward are only on the sea-side and heads of rivers, of which the most noted are at the head of Kennebec river and at Penobscot, where Indian Sachems are still subjects, as formerly, when that county was included with New York. The southern boundaries are the sea and New York. *Unsigned.* 2 *pp. Endorsed.* Recd. 22 August 1688. [*Col. Papers, Vol. LXIII., No.* 20.]

July 9.

1,827. Minutes of Council of Maryland. Letter from Colonel Coursey at great length on difficulties arising out of the case of an orphan child. The Council wrote him a letter of thanks. Letter from Francis Jenkins reporting the delivery of the Indian murderers. Letter of thanks to him from the Council. Proclamation for all sub-rangers to bring in their commissions. Commission to George Layfield to be comptroller and surveyor of Maryland. Commission of Andrew Abington to be deputy collector at Patuxent. Proclamation proroguing the Assembly till 9 May next. [*Col. Entry Bk., Vol. LIV., pp.* 174-181.]

July 9. Custom House. **1,828.** Commissioners of Customs to Lords of the Treasury. On Mr. Hordesnell's recommendation for free trade to be granted to Bermuda (*see Nos.* 1,611, 1,666), we see no reason why the merchants, planters and others should not have liberty to trade to and from the island in what vessels they please, provided they be duly qualified, and observe the regulations laid down by the Navigation Acts. *Signed,* Will. Culliford, N. Butler, H. Browne, D. North, Jo. Werden. 1 *p.* [*Col. Papers, Vol. LXIII., No.* 21, *and Col. Entry Bk., Vol. XVIII., pp.* 177-179.]

July 11. **1,829.** The Council and Assembly of Barbados to the King. Thanking him for rejecting the project for the erection of a company to take into its possession and disposal all the produce of the Colonies, and to furnish and supply the Colonies as their needs should require. Thirty-three signatures. [*Col. Entry Bk., Vol. VII., pp.* 479-481.]

July 12. Barbados. **1,830.** Lieutenant Governor Stede to the Earl of Sunderland. The people have received with the greatest joy the news of the King's favour to them, and of his protection of them from the guardianship of ambitious projectors who considered neither the profit of the King's revenue nor the welfare of his people. By refusing to allow the erection of a South American Company the King has given new life to these suffering and despondent Colonies. Many who had resolved to sell their estates and settle elsewhere now decide to stay, and make further trial of their fortunes, whatever the difficulties and discouragements. The Council and Assembly, in their gratitude to the King, have prepared a letter of dutiful and humble acknowledgment of his goodness, which I enclose herewith. They desire also their thanks to you. All is quiet and harmonious here. The King's indulgence to his tender conscienced and dissenting subjects did not alter their dutiful and contented manner of living, until the late arrival of a Jesuit, sent from Martinique by M. Martin Ponisett, the General Superior of the Jesuit Mission in America. He called here about a month since, and, exercising his functions among those of his religion, has caused some discontent among some of the people, though in themselves of moderate temper, not on account of his profession, office, or religion, but from the manner and time of his coming and the place from which he came. For he is a foreigner, a Frenchman, and he came from Martinique without order or approbation of his Majesty, and without recommendation or knowledge of any of that religion that are about his royal person. Had he come with such recommendation all the people here would have acquiesced, and those of his religion could receive some spiritual help and comfort from him. But they cannot understand his language. The man only speaks

Latin and French, and for French the English here, as elsewhere, have no great regard, especially since the disputes over St. Lucia, St. Vincent, and Dominica. The people think that he is a spy sent by the Governor rather than a priest sent by the Jesuit General for the care of souls. They are, therefore, uneasy at his presence here, and think it a presumption both in the Governor and the General to send such a person here, as if the King could not attend to such matters and knew not his own time for attending to them. Some motions have, therefore, been made to me to order him to return, but as I believe that if he be a spy he can learn nothing that will do harm, I have not thought fit to order him away or to forbid him from giving spiritual help to those that desire it, though I have enjoined it on him to act with sobriety and discretion, so as to rouse no discontent in the people. I hope that my action herein may be approved.

I hope in a few days to send you such an account and justification of the King's right to St. Lucia, St. Vincent, and Dominica as will render the French pretensions to the contrary ridiculous. The hatred of the former Governors of this island towards offices granted by patent, and especially towards the secretary's office, made them so far endeavour to discourage the possessors of those offices and their deputies that they suffered as little business as possible, public or private, to pass through their hands or to be entered in their offices, the public and only registry of the island. They preferred to transact all business by their particular secretaries, hoping, I conceive, to render the holders of patent offices contemptible; and thus many commissions, grants and other papers relating to these islands and to the settlement of them by the English were never recorded, and are not to be found. These irregularities of my predecessors have been amended by me, as I hope that they may be also in future. I have no further account to give you of wrecks nor of pirates. My own venture is lost by pirates, but whither they have carried my unfortunate ship I know not.

I formerly acquainted you of the discouragement given to the people concerned in the lottery here by Sir Thomas Montgomery's clamour against it. This, and the poverty of the people, by reason of which gaming is much left off, has quite broken the lottery, and the people are gone to Jamaica. This is the reason why Mr. Cranfield and others have not addressed you on the subject. Sir Thomas Montgomery is very uneasy to himself and to everybody else, as I apprehend, much to his own detriment. He has borne himself towards me with unusual unkindness in all capacities, but I have been patient with him, remembering my duty to the honourable person who commended him to me. I have for some time desired his opinion in point of law on an escheat reckoned to be worth fifteen hundred or two thousand pounds, but he has not given it to me, so I cannot prosecute the affair. As the thing is of value and you may obtain the King's grant of it if it should prove to be the King's, I take this opportunity of stating the case to you for your consideration and directions. Does a purchase made by an alien with an alien's money, though in his own name and his son's, who was

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born in the island, bar the King from escheat of the whole or any part of the estate?

Yesterday Sir Thomas Montgomery brought in a complaint against Mr. Benjamin Skutt, one of the Council, for uttering unbecoming words of the King's affairs, and particularly about the execution of the traitor Cornish, which words, though they might not amount to high treason, were, in Sir Thomas's judgment, highly criminal. To prove this Sir Thomas, about eight o'clock at night, brought a servant and kinsman of Mr. Skutt's, one that had a little before attempted to murder Mr. Skutt in the night by lying in wait for him at his own house. The attempt was frustrated by a gentleman who lived in the house with Mr. Skutt. This gentleman coming in before him received the assault and was too strong for the assailant, whereupon the man declared that it was Mr. Skutt he meant to have killed. This would-be murderer of Mr. Skutt Sir Thomas now brought to me as a witness against Mr. Skutt, with a deposition ready drawn to the effect that fifteen or sixteen months ago, while at sea in the voyage from England to Barbados, Skutt reproached this witness, Pendleton by name, with being son of a perjured person, his father having been one of the jurors who found Cornish guilty, and added that if he had been on the jury he would not have found him guilty. Skutt, it was alleged, repeated these same words later in his own house and in the hearing of witnesses whom Sir Thomas Montgomery desired me to examine. I therefore took Pendleton's oath to the deposition which he brought to me, and next morning summoned the other witnesses named by him and examined them in the presence of Sir Thomas and of three members of Council. The witnesses all confessed that they were in the room at the time when Pendleton was with Mr. Skutt but never heard Skutt say a word about Cornish then or at any other time. So there the matter rests at present, but I thought it my duty to report it to you. As Mr. Skutt has always shewn himself loyal and dutiful here, and I believe also in England, I was not advised by the members of Council to suspend Mr. Skutt or to bind him to answer to the matter. Sir Thomas says that he has more witnesses, though he has not named them to me. If such there be I will send copies of their depositions. *Signed,* Edwyn Stede. [*Col. Entry Bk., Vol. VII., pp.* 471-479.]

July 12.
Whitehall.
1,831. Commission of the Lords Proprietors of the Bahamas Islands to Thomas Bridges to be governor of the Bahamas. *Signed,* Craven, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., pp.* 141, 142.]

July 12. 1,832. Instructions to Thomas Bridges, Governor of the Bahamas. (1) The deputies of the proprietors are all to be of the Council. (2, 3) The Governor may appoint a substitute for any of them in case of death or absence until a new deputy be appointed from home. (4) Twenty freeholders are to be elected an Assembly who (7) shall elect six members to sit in Council with the deputies. (9) Parliament to be summoned in November

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of every alternate year or oftener if necessary. (10, 11) Parliament may be prorogued or dissolved, and condemned criminals pardoned by advice of three of the Council. (14) Piracy is to be strictly put down. *Signed*, Craven, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., pp.* 142-144.]

July 13. **1,833.** Minutes of Council of Jamaica. Colonel Ivy and others ordered to answer for scandalous words against the Government next Wednesday, and in the mean time to stand committed. [*Col. Entry Bk., Vol. XXXVI., p.* 234.]

July 13. **1,834.** Copies of the petition of the proprietors of East New Jersey, of the Attorney General's report, and of the reference of the same to the Lords of the Treasury. *Below*, Minute of the Treasury referring the same to the Commissioners of Customs, July 13, 1688. *Signed* Hen. Guy. The *whole*, 4 pp. [*Col. Papers, Vol. LXIII., No.* 22.]

July 16. **1,835.** Lords Proprietors of the Bahamas to the [Duke of Albemarle?] We have a letter from your Grace telling us that if we grant you the Island of Providence for ninety years you would resettle it and make it profitable. You do not tell us how you will it profitable nor how profitable you will make it, which are things that should be first known. Moreover Lord Carteret will soon be of age, and Lord Ashley, whose concurrence is necessary, is out of England, so you will understand why we cannot comply. We have commissioned Thomas Bridges to be Governor. *Signed*, Craven, Bath (for Lord Carteret), P. Colleton. [*Col. Entry Bk., Vol. XXII., p.* 147.]

July 16.
Bermuda. **1,836.** Henry Hordesnell to Lords of Trade and Plantations. I write to acquaint you of an ill act done by John Robinson before he went away to England. One Thomas Cooke came here with a considerable cargo, in the employ of Mr. Thomas Linton of Barbados. While here he embezzled his master's goods and wrote letters to Barbados calling the people here rebels and traitors. These letters having been returned from Barbados, Cooke was apprehended and bound to take trial at the next Assizes, two of the Governor's people being his bail. At the Assizes neither Cooke nor his bail appeared, but his bail have since delivered him up to free themselves, and Cooke remained in gaol for want of a security, though by the Governor's order he had liberty to go everywhere. Now by the contrivance of the Governor and John Robinson and their accomplices, under pretence that he was to shew the Governor some papers, he has been allowed to take his bag out of gaol and carry it to the Governor, with whom he left it. The same night he was carried on board John Robinson's ship and made his escape, thereby not only defrauding his creditors but avoiding pleading to a bill of indictment found by the Grand Jury. I beg that John Robinson be ordered to produce Cooke, that he may be secured and sent back here to be tried. I have many other complaints to make but forbear, considering that this inconsiderable place has produced for you more disputes than any. *Unsigned.* 2 *pp.*

Endorsed. Recd. 24 Dec. 1688. [*Col. Papers, Vol. LXIII., No.* 23, *and Col. Entry Bk., Vol. XVIII., pp.* 188-191.]

July 17 Custom House. **1,837.** Commissioners of Customs to Lords of the Treasury. On the petition of the Proprietors of East New Jersey (*see No.* 1,690), we see no objection to making Perth-Amboy a lawful port, provided it be subject to the same regulation as New York. *Signed,* N. Butler, H. Browne, D. North, Jo. Werden. 1 *p.* *Endorsed.* Recd. 29 Aug. 1688. [*Col. Papers, Vol. LXIII., No.* 24.]

July 18. **1,838.** Minutes of Council of Jamaica. Judge White suspended from the Council, his Grace saying that he would report the reason to the King. Colonel Ivy and others bound over to answer for their offence at the Grand Court. Sir Henry Morgan restored to the Council according to the King's order. The naval officers' account of disbursements for H.M.S. Drake referred to a committee. George Harris's patent as secretary and commissary general of stores referred to the Attorney General for report.

July 19. The writs for the election of the Assembly returned. List of members of Assembly.

St. Dorothy	Matthew Crew. John Bonner.
St. Anne	William Drax. William Bragg.
Vere	Robert Smart. John Favell.
Clarendon	John Peeke. Rich. Dawkins.
Port Royal	Thomas Ryves. Ralph Knight. William Matthews.
St. Andrew	John Parnaby. William Archbold.
St. Elizabeth	Richard Scott. John Barrow.
St. John	George Reid. Edward Winter.
St. Katherine	Thomas Ballard. John Ellis. William Worley.
St. George	Henry Archbold. Henry Ward.
St. Thomas in the Vale	Roger Elletson. Robert Nowell.
St. Mary	Peter Heywood. John Moone.

St. James	Charles Boucher. Edward Broughton.
St. David	Thomas Ryves. James Lobley.
St. Thomas to Windward	Edward Stanton. Simon Musgrave.

Order for proceeding with the building of a storehouse on the King's land at Port Royal.

July 20. The Assembly being come, his Grace made them a speech, hoping better things of them than from the last Assembly. Roger Elletson was approved as Speaker, and made a speech in reply.

July 21. Draft address to the King approved and sent down to the Assembly for concurrence. The Assembly desired a copy of the Duke's speech. Robert Cooke sworn clerk of the Assembly. Information was given as to the escape of some of the French pirates. [*Col. Entry Bk., Vol. XXXVI., pp.* 234-237A.]

July 19. **1,839.** Journal of Lords of Trade and Plantations. Report of the Commissioners of Customs as to free trade in Bermuda read (*see No.* 1,828). Agreed to lay it before the King.

Agreed to refer the petition as to the mines in New England to the Attorney General.

Petition of the African Company as to Jamaica read and referred to the Treasury (*see No.* 1,841).

Sir John Witham's appeal from proceedings connected with the late Lord Willoughby of Parham's estate fixed for February next. [*Col. Entry Bk., Vol. CIX., pp.* 177-179.]

July 19. **1,840.** Minute of Lords of Trade and Plantations. Referring the proposals as to mines in New England to Sir Thomas Powis, the Attorney General, to compare them with the King's grant of mines in America to the Duke of Albemarle, and to report. *Draft, with corrections.* 1 *p.* *Endorsed.* [*Col. Papers, Vol. LXIII., No.* 25.]

[July 19.] **1,841.** Memorandum from the Royal African Company. The Government of Jamaica have passed an Act raising the value of pieces-of-eight, which is very detrimental to trade, and especially to creditors. The Company entreat the Lords of Trade to advise the King not to confirm this act. The Government also forbid the Spaniards to trade, which is of great prejudice to the Company. ½ *p.* *Rough notes.* [*Col. Papers, Vol. LXIII., No.* 26.]

July 19. **1,842.** Minute of Lords of Trade and Plantations. Referring the above petition to the Lords of the Treasury for their opinion. 1 *p.* [*Col. Papers, Vol. LXIII., No.* 27.]

July 19. **1,843.** Rough draft of foregoing minute. *Scrap.* [*Col. Papers, Vol. LXIII., No.* 28.]

July 20. **1,844.** The Duke of Albemarle's speech to the Assembly of Jamaica. I am glad to find the country sensible that it chose ill men for the last Assembly. I promise myself better things from

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you. You cannot be ignorant of the many wicked and malicious reports spread abroad by ill-disposed persons, to make me odious to the people and to gain their own ends at the elections. The proposals that I have to make to you are given to you written down. 1 *p.* [*Col. Papers, Vol. LXIII., No.* 29.]

[July 20.] **1,845.** Speech of the Speaker of the Assembly of Jamaica to the Duke of Albemarle. His late Grace of Albemarle "drew the hasty emblems of a second creation," to establish the royal authority after the twelve years of confused government. We accept your coming with thankfulness believing that you will tread in the steps of your father and revive this at present decaying condition of Jamaica. In Lord Vaughan's time we were prosperous. In Lord Carlisle's time we were maliciously traduced as an obstinate and wilful people, but his reign was pleasant and profitable. Then came Sir Henry Morgan and after him Sir Thomas Lynch, who found the Island in a happy and good condition, but Sir Henry's methods were changed and the prosperity passed away. His government brought the country into such a fever that it is scarce recovered yet. I end by claiming for us the usual liberties of the Assembly. 3½ *closely written pages.* [*Col. Papers, Vol. LXIII., No.* 30.]

[July.] **1,846.** Observations on the Speaker's speech, "taking notice only of his personal behaviour in the several governments after he arrived in Jamaica." In Lord Vaughan's time, he fled from England for his debts, which he has not yet paid. He is the man who made the Assembly intercede for a condemned pirate. He was chief adviser in Lord Carlisle's government, and again used his influence in favour of pirates. He was Attorney General when Sir Henry Morgan consented to the tacking of the laws to a money-bill. He tried to put the laws against dissenters in execution in Sir Thomas Lynch's time; he stirred up Gill and Meverell to seize the Assiento ships; he opposed the passing of the revenue for twenty-one years; he defended the pirates from Vera Cruz and that so indecently that he was suspended from practice. On Sir Thomas Lynch's death he tried to blacken his memory by saying that he had appropriated piratical goods. In Colonel Molesworth's time he opposed the votes for paying the armed parties who suppressed the negro rebellion. This is the man whose clerk made the will wherein an annuity of £20 was left him to prosecute a lawsuit; who since he has been Chief Justice has brought more fines and commitments before Council than have been in twenty-four preceding years; who asperses the dead Sir Thomas Lynch; who opposed thanks to the King for liberty of conscience; who is so anxious to justify Sir Henry Morgan that he seems to reflect on the late King, who confirmed his dismissal; who advised the Duke to displace the late Provost Marshal to make room for a creature of his own, who is in gaol for debt, whereby his father was allowed to escape from prison, where he lay for debt; who sat on the bench when a case was tried of scandalous words against himself, gave judgment and inflicted a fine of £300; who in his speech spoke ill of two

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Governors that no good man ever spoke ill of yet, and ought not to be believed. *Two closely written pages.* [*Col. Papers, Vol. LXIII., No.* 31.]

July 20. Whitehall. **1,847.** Order of the King in Council. Referring the petition of Charles Mathew to Lords of Trade and Plantations for report. *Signed,* Phil. Musgrave. ½ *p. Annexed,*

1,847. I. Petition of Charles Mathew to the King, for confirmation of the estate granted to his father by Sir William Stapleton, in case of any defect of title. 1 *p.* [*Col. Papers, Vol. LXIII., Nos.* 32, 32I.]

July 22. Whitehall. **1,848.** Order of the King in Council. For the establishment of a General Post Office in Jamaica; Lord Rochester to appoint a Deputy-postmaster. Rates: For one sheet sent from England to Jamaica, sixpence; for two sheets, one shilling; and so on in proportion. Internal rates: For one sheet delivered within a radius of forty miles from Port Royal, twopence; for two sheets, fourpence; and so in proportion. Similar post-offices to be established in such other Colonies in America as Lord Rochester shall approve. *Signed,* Phil. Musgrave. *Appended,*

Report of the Attorney General. That the order is in accordance with the statute of 12 Car. II. *Signed,* T. Powis, 26 June 1688. Opinion of Mr. Pollexfen, to the same effect. *Signed,* Hen. Pollexfen, July 15, 1688. [*Col. Entry Bk., Vol. XXXII., pp.* 122-126.]

July 23. Whitehall. **1,849.** William Blathwayt to Henry Guy. Apologising for the delay in sending the minute of the Lords of Trade referring the African Company's petition to the Treasury. *Draft.* ½ *p. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 33.]

July 23. Whitehall. **1,850.** [William Blathwayt] to the Attorney General. As regards the reference of the proposals as to mines in New England (*see No.* 1,840), their Lordships' intention is that you should mark and distinguish what grants, powers and privileges the gentlemen of New England expect by their proposals more than are already granted to the Duke of Albemarle; also that you give your opinion whether the King may legally and with due regard to the local constitution grant them the particular powers that they desire. *Draft.* 1 *p.* [*Col. Papers, Vol. LXIII., No.* 34.]

July 23. **1,851.** Minutes of Council of Jamaica. The Assembly returned the joint address to the King. Copy of the address. The Duke read a letter from Sir Robert Robinson, giving an account of pirates who had surrendered at Bermuda, and copy of the pass that he had given to some of them to go to Jamaica.

July 24. Message from the Assembly asking for a writ for the election of a member for St. David's.

July 25. Message from the Assembly asking for the Negro Bill prepared for the last Assembly. Bills touching negroes, to encourage the conversion of negroes and to prevent inhumanity to servants, and

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to ascertain the qualifications of jurors, sent to the Assembly. Jurors' qualification bill read a first time, also the bill for conversion of negroes.

July 26. Jurors' qualification bill read a second time. Negroes' conversion bill read a second time, and sent back to the Assembly with amendments.

July 27. Message from the Assembly agreeing to the amendments in the negroes' conversion bill, and sending up a bill to provide for solicitation of the island's affairs in England. The Assembly asked also for copy of a former bill for prevention of perjury. Jurors' qualification bill and negroes' conversion bill read and passed. Bill for solicitation of the island's affairs read a first time.

July 28. Bill for solicitation committed. Council adjourned for want of a quorum. [*Col. Entry Bk., Vol. XXXVI., pp.* 238-241.]

July 31. **1,852.** Minutes of Council of Jamaica. No quorum.

Aug. 1. Again adjourned for want of a quorum.

Aug. 2. Writ for St. David's parish returned. Thomas Richardson elected. Solicitation bill reported with amendments, and sent to the Assembly. Perjury prevention bill brought up from the Assembly, read twice and committed. Thomas Richardson sworn. Order for an embargo on all ships bound for England till Tuesday next, 6th.

Aug. 3. No quorum.

Aug. 4. Perjury bill reported and read a third time. Order for Andrew Orgill and John White, junior, to be brought before the Council to answer for holding a court after their commission was expired. Solicitation bill returned from the Assembly and passed. Assembly granted leave to adjourn to the 6th inst. [*Col. Entry Bk., Vol. XXXVI., pp.* 241, 241A.]

[Aug. 1.] **1,853.** Order of the King for the establishment of two regular companies of foot in New York from 1 August 1688, each company to consist of three officers, five non-commissioned officers, one drummer and fifty privates. The rates of pay to be as in England. [*Col. Entry Bk., Vol. LXI., pp.* 409, 410.]

Aug. 3.
Barbados. **1,854.** Sir Thomas Montgomery to Lords of Trade and Plantations. As Attorney General I am also a Justice of the Peace here. In July last one William Pendleton, a nephew of Mr. Benjamin Skutt, came and informed me that his uncle had used treasonable words, and that he came to depose the same. Having been first cautioned by me he wrote his deposition, and I then took him to the Governor and found Mr. Skutt there, who was come on purpose to tell the Governor that his nephew had threatened to swear treason against him. The Governor read the deposition, and proceeded to question Pendleton on oath, asking him, among other things, whether Skutt were not in high employment in England. Pendleton answered that lately he had been put

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on business that he did not like, and had retired on that account to Barbados. I observed that this did not look like forward loyalty, whereupon the Governor flew into a violent passion, and asked me why I should remind him of his duty. I made no reply, but for the next half-hour he treated me very unkindly, and was ready at every turn to send Pendleton to gaol. Next day the Governor told me that though Attorney General I was not the King's advocate in the Court of Admiralty, and that I was not to continue there, nor to conduct the Royal African Company's business. I do not trouble you about this, however; though I appeal to you if I have done amiss. Mr. Skutt may produce to you some testimony of his loyalty, but I have reason to believe that he received a letter from England giving the names of all the Aldermen of London who were laid aside and the names of those who were put in by the King, and that he goes about vilifying those put in by the King. I begged him as a friend to forbear, as such speaking would be taken ill, and he seemed to take the advice friendly; but from that day he has done all he can to injure me. Thus much I think it my duty to lay before you. I beg also for your care for the poor white servants here, who are used with more barbarous cruelty than if in Algiers. Their bodies and souls are used as if hell commenced here and only continued in the world to come. They want the merest necessaries of food and raiment, and many die daily in consequence. One Meagher was found guilty of murder last Grand Sessions, whom the Governor reprieved; but he had better been hanged than confined until nauseous distempers had almost eaten him up. *Signed*, Tho. Montgomery. *2 pp. Endorsed.* Recd. 12 Oct. 1688. [*Col. Papers, Vol. LXIII., No.* 35, *and Col. Entry Bk., Vol. VIII., pp.* 3-7.]

Aug. 4. **1,855.** The Attorney General to Lords of Trade and Plantations. In obedience to your orders I have compared the King's grant of mines in America to the Duke of Albemarle with the proposals of the New England gentlemen. I find that all the mines in New England are excepted from that grant. The gentlemen ask no more in New England than what has been granted to the Duke of Albemarle elsewhere; but the Duke's grant is to him and executors for fifty-one years, whereas the petitioners desire to be incorporated, and to have a grant for ever. A corporation seems very proper to such an undertaking, but the petitioners desire many privileges beyond those granted to the Duke of Albemarle, as for instance the sixth proposal, that on their finding a mine they shall have a grant of the King's land, not exceeding seven miles square, at a rent of sixpence per hundred acres. So also in the 7th, 9th, 15th, 24th, 25th, 27th, and 31st articles. The privileges asked for may legally be granted, and though certainly they would be too great to be granted here in England, yet, since the corporation will reside in England and will be always under the King's eye, they may be proper enough for a country as yet so unpeopled, especially if the corporation were bound to begin to work mines within a

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limited time. *Signed*, T. Powis. 3 *pp.* *Endorsed.* [*Col. Papers, Vol. LXIII., No.* 36.]

Aug. 6. Jamaica. **1,856.** The Clerk of Council of Jamaica to William Blathwayt. I have sent you the minutes of Council by one of the Duke's secretaries, but have had no acknowledgment. I have since received a deputation which confirms me as secretary of the island. You ask for the minutes of Council from 21 February to 21 September last year. I send what I can, but from June 1 to 19 September, when Mr. Egleton died, there is no entry made, nor can I give any account, for I have nothing but some loose papers of his in shorthand, of which I can make nothing. Pray send me over some more ruled paper. *Signed*, F. Hickman. 2 *pp.* *Endorsed.* Recd. 10 Oct. 1688. [*Col. Papers, Vol. LXIII., No.* 37.]

Aug. 7. **1,857.** Minutes of Council and Assembly of Nevis. Order for appointment of a joint committee to draw up the Acts of the island. [*Col. Entry Bk., Vol. XLVIII., p.* 222.]

Aug. 8. Jamaica. **1,858.** Governor the Duke of Albemarle to Lords of Trade and Plantations. The Assembly met on the 20th of July and finished more business in two weeks than the last did in two months. As the members are mostly men of known loyalty I doubt not that the King's pleasure will find more ready compliance. They at once considered the King's proposals, copy of which is enclosed, and passed bills for ascertaining the qualifications of jurors, to encourage the conversion of slaves to Christianity and preventing inhumanity to white servants. For the third proposal they threw out the bill. They then passed an Act for raising money for soliciting the island's affairs in England. The fifth proposal is already provided for in existing laws, and to meet the last they have added two clauses to the Act for regulating slaves. They have also increased the severity of the law against perjury and subornation of perjury. I have removed Mr. John White from the Council, principally because he pleaded for the most part, as a lawyer does for his fee, against the King's interest whenever such matters came before Council, and because it was pointed out to me that he was paid by St. Jago del Castillo to plead for him both in Council and elsewhere. I have admitted Sir Henry Morgan to the Council pursuant to the King's order, but I am afraid that he will not live long, being extraordinarily ill. Colonel John Cope, another of the Council, died a few days since. I hear of a great number of English prisoners at Vera Cruz and other Spanish ports, whom I shall demand as soon as H.M.S. Drake returns.

While the election was going forward there were unwarrantable oppositions made in most parishes, as well as malicious practices to prevent fair election. The actors were persons disaffected to the Government, especially at Clarendon, where Colonel Ivy, whom I should never have suspected of such a thing, made a public riot. I committed them to prison, and have sent the state of the case and affidavits to England. I have not yet passed the bills sent up by the Assembly, as I hope they will pass some

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more. My passing of the whole together may induce them to pass one law which will be truly serviceable to the King. The Isle of Ash, once dependent on Jamaica, and valuable for turtle fishing, has for the past two years been taken by the French, under the command of the pirate Laurens, and British subjects have been prohibited from hunting or fishing. The place is of importance, and in case of a war would, in French hands, be very prejudicial to us. Colonel Molesworth left this Government £446 in debt, and left nearly £2,000 more charged on the revenue. Several privateers have taken advantage of the proclamation, and have surrendered at Bermuda, from whence they were discharged. Some of them returned here, where their goods were seized by Mr. Lynch and themselves imprisoned. *Signed,* Albemarle. 2 *pp. Endorsed.* Recd. 19 Oct. 1688. *Enclosed,*

1,858. I. Proposals to the Assembly of Jamaica. 1. That qualifications of jurymen be better defined. 2. That a law be passed for restraining inhumanity to white servants, and for converting negroes to Christianity. 3. That a law may be made whereby creditors of bankrupts in England, who have estates in Jamaica, may be relieved out of the same. 4. That £300 a year be voted for the solicitation of the island's affairs in England. 5. That a law be made to raise money for building workhouses. 6. That provision be made for discouraging the wanton and wilful killing of slaves. ½ *p. Endorsed.* Recd. 19 Oct. 1688.

1,858. II. Deposition of Arnold Ladore. As to the canvassing of electors at the election of Assemblymen for Clarendon. Sworn 7 July 1688. 1 *p. Endorsed as the preceding.*

1,858. III. Deposition of Dudley Scott. As to the effects of same. Sworn 7 July 1688. ½ *p. Same endorsement.*

1,858. IV. Deposition of Thomas Halse. As to abusive language used to him by Colonel Thomas Ivy. Sworn 7 July 1688. ½ *p. Same endorsement.*

1,858. V. Deposition of Richard Swarton. As to abusive language used by Colonel Ivy to others. ½ *p.* Sworn 7 July 1688. *Same endorsement.*

1,858. VI. Deposition of William Dawkins. Confirming the preceding. Sworn 7 July. ½ *p. Same endorsement.*

1,858. VII. Deposition of Charles Boucher. Confirming No. V. Sworn July 7, 1688. *Same endorsement.*

1,858. VIII. Deposition of Thomas Waite, Provost Marshal General of Jamaica. As to a riotous attempt of Colonel Ivy and his faction to carry on the election at Clarendon after he had declared the poll to be adjourned. Sworn 7 July. 1 *p. Same endorsement.*

1,858. IX. Deposition of George Stanton. As to a false report that the Duke of Albemarle was about to impose a poll-tax of £50,000, which was spread during the election. Sworn 7 July 1688. ½ *p. Same endorsement.*

1,858. X. Deposition of Cornelius Campion. As to an attempt to assault him by some of the opposite faction on the

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day of election. Sworn 8 July 1688. ½ *p.* *Same endorsement.*

1,858. XI. Deposition of John Hewitt. As to the efforts of Colonel Ivy's faction to gain adherents by treating. Sworn 12 July, 1688. 1½ *pp.* *Same endorsement.*

1,858. XII. Deposition of Samuel Man. To the same effect as the preceding. Sworn 12 July 1688. *Same endorsement.*

1,858. XIII. Deposition of John Palmer. Further evidence as to Colonel Ivy's proceedings. Sworn 13 July. ½ *p.* *Same endorsement.*

1,858. XIV. Report of the Commissioners appointed to enquire into the election of Clarendon. The adjournment of the election by the Provost Marshal in consequence of the violence of faction that he saw going forward in the election is justified by the precedent of Sir John Moore, Lord Mayor of London, at the election of Sheriffs in the thirty-fourth year of King Charles II. *Signed,* Richard Derham, B. Magragh. *Large sheet.* *Same endorsement.* [*Col. Papers, Vol. LXIII., Nos.* 38, 38I.-XIV., *and (letter only) Col. Entry Bk., Vol. XXXII., pp.* 139-143.]

Aug. 10. **1,859.** Journal of Lords of Trade and Plantations. The Attorney General's report as to mines in New England read. The petition of Increase Mather and others referred to the Attorney General (*see next abstract*). [*Col. Entry Bk., Vol. CIX., pp.* 180, 181.]

Aug. 10. **1,860.** Petition of Increase Mather, Samuel Nowell and Elisha Hutchinson, on behalf of the inhabitants of New England, to the King. Since the dissolution of the late Government many inconveniences have attended and will attend us unless relieved. We beg consideration of certain proposals annexed. *In the margin.* Minute of Lords of Trade and Plantations referring the proposals to the Attorney General for report. Whitehall, 10 August 1688. *Annexed,*

1,860. I. The proposals above mentioned. That the possession of property owned before 24 May 1686 may be confirmed; that the register for titles of land in New England may be confirmed; that townships may decide on questions as to commons and other business by vote of the majority of the freeholders, and that their commons may be confirmed to them; that Courts of Conscience may be in each precinct, with jurisdiction up to the value of forty shillings; that probates of wills may be made in such Courts of Conscience where estates do not exceed ten pounds in value, and in the case of larger estates, in the County Courts; that all marriages may be registered and ratified in a Court of Conscience; that there may be a court of equity for all considerable causes. *A note in the margin that the three next clauses were struck out by the committee, viz.* (1.) That a revenue of £5,000 a year having first been provided for maintenance of the

Government, no other imposts shall be laid but by a General Assembly. (2.) That the General Assembly shall consist of Governor, Council and members, to be elected by the freeholders of each precinct. (3.) That no laws shall be made except in such General Assembly; that there be liberty of conscience; that no man be compelled to maintain a religion that he does not profess; that each religion be left free to support itself; that Cambridge College be confined to those that erected it, and all present meeting houses left free to them that built them. 1 *p.* *Endorsed.* Read 10 Aug. 88. [*Col. Papers, Vol. LXIII., Nos.* 39, 39I., *and Col. Entry Bk., Vol. LXII., pp.* 25, 26.]

[Aug. 10?] **1,861.** William Blathwayt to Elisha Hutchinson. Requiring him and his fellow petitioners Mather and Nowell to attend the Lords of Trade and Plantations on Wednesday next. [*Col. Entry Bk., Vol. LXII., p.* 75.]

Aug. 10. **1,862.** Minute of Lords of Trade and Plantations. Referring the petition of Increase Mather and others to the Attorney General for report. [*Col. Entry Bk., Vol. LXII., p.* 76.]

Aug. 10. Whitehall. **1,863.** William Blathwayt to the Attorney General. Instructing him to prepare a draft patent for the grant of mines in New England, with such exceptions as are intimated in his report (*see No.* 1,855), and containing a clause obliging the patentees to begin work at their mines within a limited period, and to produce some profit to the King, as provided in the Duke of Albemarle's grant. *Draft, with corrections.* ½ *p.* *Endorsed.* [*Col. Papers, Vol. LXIII., No.* 40.]

Aug. 10 **1,864.** Commission to Sir Æneas Macpherson to be Governor of Nevis. *Countersigned,* Sunderland. *Copy.* 1 *p.* [*Col. Papers, Vol. LXIII., No.* 41.]

Aug. 12. **1,865.** Memorandum. Sir Robert Holmes acquainted the King that his agent Mr. Lynch has received great discouragement from the Government of Jamaica in the business of suppressing pirates; that warrants of arrest had been issued against him at the suit of pirates committed to gaol in Port Royal; and that several pirates in custody could not be tried without special orders from England. Sir Robert begged for power to assure them all of pardon, and that Mr. Lynch may receive letters of protection from the King, and be discharged from confinement. [*Col. Entry Bk., Vol. XXXII., p.* 128.]

Aug. 16. **1,866.** Journal of Lords of Trade and Plantations. Letter from Captain Spragge read complaining of several illegal proceedings of the Governor of Carolina.

James Smailes's petition to have his complaints against the present and late Governors of Bermuda read. Order for his witnesses to attend the Lord Chancellor for the taking of their depositions.

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Sir Nathaniel Johnson's transcript of the state of the Leeward Islands presented. The part of it that deals with legal matters referred to the Attorney General. [*Col. Entry Bk., Vol. CIX., p.* 182.]

Aug. 19. Virginia. **1,867.** Governor Lord Howard of Effingham to the Earl of Sunderland. My last gave you an account of the seizing of three pirates. They have petitioned for the benefit of the King's declaration, but after they had signed a confession I told them that they were not within the terms of the proclamation, as they had not surrendered themselves, but had been taken. They answered that they came with intent to surrender, but hearing that the proclamation was not published dared not venture. I answered that they knew of such a proclamation, and that though I had not then received it, they should have had the benefit of it; but on the contrary they denied that they were pirates both to Colonel Cole, Captain Rowe and myself, and persisted in their denial, not laying hold of the proclamation until it was published. I therefore await the King's orders in the matter, not judging these men worthy to receive the benefit of the proclamation without them. *Signed,* Effingham. *Holograph.* 1 *p. Endorsed. Enclosed,*

1,867. I. Account of plate and money seized from Edward Davis, Lionel Delawafer and John Hinsent. *Signed,* William Cole, Simon Rowe. *Copy.* 1 *p.*

1,867. II. Examination of the three men aforesaid, and of Peter Cleiss, a negro, before William Cole. All three of the men denied that they were privateers. Taken 26 June 1688. 2 *pp.*

1,867. III. Duplicate of the preceding. 2 *pp.*

1,867. IV. Petition of Edward Davis, Lionel Delawafer and John Hinsent to Lord Howard of Effingham. For the benefit of the King's proclamation of pardon to privateers. Certificate of Lord Howard of Effingham that the three men on the 16th August 1688 confessed themselves privateers. *Large sheet.*

1,867. V. Duplicate of preceding. 2¼ *pp.* [*Col. Papers, Vol. LXIII., Nos.* 42, 42I.-V., *and (without enclosures) Col. Entry Bk., Vol. LXXXIII., p.* 224.]

Aug. 20. **1,868.** Abstract of certain letters from Boston. The proceedings of the Governor and Council seem rather for the ruin than the protection of the people of New England. All our titles of land are undervalued, writs of ejectment are served upon divers people's lands, a writ of intrusion upon Hog Island, another against Mr. Lynd for fencing land near Charlestown, and another against Peter Marke of Charlestown. All these were to have been tried in the last Superior Court of Pleas, but for some reason were suspended till October. An island in Plymouth Colony is already sued for and recovered by Councillor Clarke. The people were willing to bear the expense of a suit, and signed a paper to that effect, for which they were termed factious, and sent for to Boston. Among them, Mr. Ichabod Wiswall, though lame, was forced to come, or else he must have been cast. They paid unreasonable charges and were bound over to the last Sessions, when, after they had waited their pleasure, they were sent home again. Sundry more instances might be given, and to add to our affliction, the sound of the trumpet, and the alarm of war and garments rolled in blood are now among us, God having brought the sword of the Indians against us. They have taken Northfield and cut off several persons; it is feared the whole of them by this time. The Governor and most of the Council were gone to New York, but in their absence the rest of the Council ordered a supply of powder to be sent to all the out-towns and ordered all Indians going up and down to surrender to us on pain of death. We hear that seven hundred, or as some say, two thousand Indians are up, and it is thought that some Frenchmen are armed and with them at a place called Pennycook, where they have erected a fort of four acres of ground, and were holding a consultation about war with the English. The old men are averse to it, but the young seem to be resolved. Oh, that the Lord would divide them in their councils! I heartily wish that some of our own gentlemen may not be concerned in this evil design, for I am informed that those in power have said that it is not for the King's interest that we should enjoy the country, but rather that another people should. *Extract. One closely written page. Endorsed.* Recd. 13 Oct. 88. [*Col. Papers, Vol. LXIII., No.* 43.]

Aug. 20. **1,869.** Duplicate of foregoing. [*Col. Papers, Vol. LXIII., No.* 44.]

Aug. 27. Jamaica. **1,870.** List of the persons fined in the Supreme Court on the 27th August 1688. Colonel Ivy fined £300, two others £500, one other £600, one other £200, and eight more smaller sums; all for riot. John Towers, for saying in Court, "Salus populi suprema lex," fined £600 for contempt; Edmund Ryves, deputy to Mr. Kelly, fined £200 for contempt; Charles Sadler, for speaking scandalous words of the Chief Justice, fined £300. Total fines, £3,340. 1 *p.* [*Col. Papers, Vol. LXIII., No.* 45.]

Aug. 28. Treasury Chambers. **1,871.** Secretary to the Treasury to William Blathwayt. Forwarding report of Commissions of Customs as to East New Jersey (*see No.* 1,837). *Signed*, Hen. Guy. ½ *p.* [*Col. Papers, Vol. LXIII., No.* 46.]

Aug. 28. **1,872.** Minutes of Council and Assembly of Nevis. Two Acts, against insolence of negroes and riots of negroes, sent down to the Assembly. Address to the King as to the West India Company. The Assembly proposed that all the country's debts should be paid in ready money, or sugar to the value thereof; the Council replied that time should first be given to the present Treasurer to consider his affairs. Act to confirm existing Acts passed. Order for a joint committee to draft an Act for planting provision. Order for republication of the Act to amend the Act against trading. [*Col. Entry Bk., Vol. XLVIII., pp.* 175-179; *also under date July* 28, *ibid., pp.* 222-225.]

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Aug. 29. New York. **1,873.** Extract from minutes of Council of New York. Order in Council for the execution of the Act for raising one penny per pound on all estates, real and personal. *Copy.* 1 *p.* *Annexed,*

1,873. I. A copy of the Act in question. 1½ *pp.* [*Col. Papers, Vol. LXIII., Nos.* 47, 47I.]

Aug. 29. New York. **1,874.** Account of stores in Fort James, New York. *Large sheet. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 48.]

[Aug. 29?] **1,875.** "Stores belonging to the gunners in Fort James." A short list. *Scrap.* [*Col. Papers, Vol. LXIII., No.* 49.]

Aug. 30. Barbados. **1,876.** Lieutenant Governor Stede to Lords of Trade and Plantations. I lately received the news of the birth of the Prince of Wales, whereupon I convened the Council and Assembly, acquainted them with these good tidings, and ordered a day of public and solemn thanksgiving, which was gladly performed by the people. Our joy was also expressed from all the forts in the island and all the ships in the roads, and by my own particular regiment in the town. Though we have no conduits, yet the streets ran wine, and after the evening bonfire this joyful day ended happily without any disorder or confusion. We have presumed to address the King on the occasion, and beg you to present the address. I enclose an Act lately passed here for the ordering and governing of negroes, which is indeed but a compilation of the multitude of scattered laws relating thereto, which made them both troublesome and difficult. I hope that this is a step to the collecting and compiling of all the laws. The Council and Assembly being now engaged on the laws respecting Christian servants, all care will be taken to prevent over severe dealing with such servants by bad masters. Such bad dealing has not been common, and where it has happened has been redressed by the Governors upon complaint, and as occasion required the servant has been compensated, or the master punished and the servant set free. But it will be impossible to keep the servants in due order and obedience such as is required by their masters and by the safety of the island, unless there be severe laws to punish any insolence towards masters and any embezzlement or destruction of their goods. For often they most villainously and maliciously destroy the horses and cattle, most of the white servants sent here being taken from the gaols, and being men whose lives have taught them all kinds of villainies and reduced them to such misery that they come to the Colonies to escape from starving. Here they cannot be maintained without work, and many of them, not being used to it, will not set themselves to it, but run away after stealing what they can, and often escape from the island by getting a number of them together and seizing fishing-boats or other vessels. Often they are so wicked that they beat their overseers and even their masters, and, indeed, an argument lately used by the Attorney General that masters ought not to correct servants so as to break the skin has given them so much encouragement that they were more refractory than ever,

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and provoked their masters and then dared them to strike or whip them. Since that mistaken argument has been cleared away they behave themselves better, as heretofore. In case of hard usage they can appeal to a Justice of the Peace or to myself, and where such complaints have come before me I have gone into them carefully in Council.

An information has lately been brought by Sir Thomas Montgomery, the Attorney General, against Mr. Skutt, a member of Council, who is charged by one William Pendleton with having spoken unbecoming words of the King. [*Repeats the story written in No.* 1,830.] The first witnesses produced by Sir Thomas having failed, I asked him before the Council if he had any more, and he named three or four, who were ordered to attend next day. They came and were examined accordingly, and three of them drew their own depositions, which are herewith enclosed, but the other two said nothing in support of Pendleton's statement, but rather the contrary. You will see by the order that the Attorney General offered something to the Board by way of discourse concerning Mr. Skutt, aggravating the offence charged against him by Pendleton, and setting him forth to be a very ill man; but the speech being of matters altogether foreign to the affair in hand, we conceived it to be unseasonable at such a time, and desired the Attorney General, if he could, to let us know anything that was to the King's service in the affair. This he could not do, and he withdrew, but he has since brought me a paper addressed to myself and Council, giving an account of his observations on Mr. Skutt in several particulars, copy of which shall be forwarded to you at the next meeting of Council. On the whole, after Mr. Skutt had been called in and had utterly denied the matters laid to his charge, the Council decided that, considering Pendleton's character and former behaviour towards him, Mr. Skutt had always behaved himself like a loyal and dutiful subject, and that no further proceedings should be taken without instructions from you. Mr. Skutt produced to us many papers in his defence, but we did not think it necessary to peruse them. He begged, however, that they might be sent to you, and they have been forwarded to Mr. Blathwayt.

I had hoped to have sent by this packet an account of the boundaries of the islands and of the King's title thereto, and of the recent French encroachments thereon, especially at St. Lucia. The French allege some agreement, by which they have equal rights with the English to hunt, fish and cut wood, while neither nation shall have the right to settle, as is shown by Mr. Christopher Codrington's affidavit, who was Deputy Governor of Barbados at the time. I will not enter further on the subject now, for I hope that the commission appointed to enquire into it will present their report in a few days. Recent advices from Surinam report a mutiny of the soldiers there, who had murdered the Governor and attempted to murder the Deputy Governor, but had been reduced to obedience by the inhabitants. Eleven of the ringleaders were put to death with exquisite torments, and things there are now in peace and quiet. This island lies so much out of the way of our neighbours that we know little of what passes

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to leeward of us. Nor are we in the way of taking up pirates on their return from the South Seas, for none have been here except one great empty ship, foreign built, which was brought in here by a sloop's company belonging to the island. The sloop had been taken by the pirates, on her way from Bermuda to this island, who had embarked themselves on her and transported themselves, as it is thought, to Pennsylvania or some of the northern parts of America. But we have no certain knowledge. The pirate ship brought in by the men belonging to the sloop was old and out of repair, and was sold for £170 only, the pirates having taken the best of the guns and rigging for the sloop. They put some Brazaletto wood, however, from the sloop into the ship, to make room for their own goods, which were estimated to be worth over £12,000. I had the misfortune to be a part owner of this sloop, which had been sent out with supplies to the wreck, so that I have lost all my venture. I thank you for your permission to accept the present voted to me by the Council and Assembly, and ask leave now to accept the like sum again voted to me. The reception of the Duke of Albemarle has been an extraordinary expense to me, as also the celebration of the birth of the Prince of Wales. *September* 3. I have received your letter of 10 June, and shall obey the order for thanksgiving and public rejoicing over the birth of the prince. *Signed,* Edwyn Stede. 3½ *pp. Endorsed.* Recd. 25 Oct. 1688. *Enclosed,*

1,876. I. Order of the Governor and Council of Barbados for a day of thanksgiving and rejoicing for the birth of the Prince of Wales. Dated 7 August 1688. *Copy.* 1 *p. Endorsed.* Recd. 25 Oct. 1688.

1,876. II. Address of congratulation from the Council and Assembly of Barbados on the birth of the Prince of Wales. *Thirty-six signatures. Large sheet, mutilated. Endorsed.*

1,876. III. Account of the celebration of the birth of the Prince of Wales at Barbados, August 19, 1688. All the clergy and gentry attended the Governor at Fontabelle, and the day was thus celebrated. First went the led horse, a band of five trumpets, the life-guard of horse, a band of six trumpets, the Provost Marshal and his officers bareheaded, the colonel of the life-guard, with his sword drawn, attending the Governor, who was splendidly arrayed. Then followed the Council, the judges, the Assembly, the secretary, the clergy, the lawyers, the justices, the military officers and private gentlemen, all in regular order, marching to St. Michael's town. There the Governor was met by the royal regiment of foot-guards, twelve hundred men, when the Governor, having received them, stopped in the centre and began the King's, Queen's, Queen Dowager's, the Prince of Wales's, the Princess of Orange's, the Princess of Denmark's, and all the Royal Family's healths, which were severally performed with volleys from the horse-guards, regimental volleys from the foot-guards, and universal acclamation of huzzas. Then the Governor rode in the

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same state to James's Fort, where the same was repeated with the addition of six guns from each of the five forts. Thence the foot-guards marched to Fontabelle and drew up, the Governor and his guards following, where, after many military exercises, he treated the whole body of the country to a most magnificent entertainment, such as the present state of the West Indies never saw, and the future will admire. At the head of every company was set a quarter cask of wine, meat and bread and all necessaries for two thousand people, besides five hundred gentlemen at one table of two hundred and fifty feet in length, who were all entertained at the Governor's expense. The ladies and other persons of quality after dinner had also a splendid entertainment of sweetmeats, the best that Europe and the West Indies afforded. At last a great bonfire to a "stupendous" height being erected at the Court gate, the Governor, as a full pattern of loyalty, again drank the whole Royal Family's health, the whole island with guns, fireworks and voices, echoing after him, God save the King and all the Royal Family. 1 *p.* *Endorsed.*

1,876. IV. Deposition of William Pendleton. As to treasonable words spoken by Benjamin Skutt. 17 July 1688. ½ *p.* *Endorsed.* Recd. 25 Oct. 1688.

1,876. V. Deposition of Richard Bendysshe. As to Pendleton's threat to swear treason against Benjamin Skutt. 18 July 1688. 1½ *pp.* *Endorsed as the preceding.*

1,876. VI. Deposition of John Rogers, to same effect. 18 July 1688. 1½ *pp.* *Endorsed as the preceding.*

1,876. VII. Extract from minutes of Council of Barbados, 7 August 1688. The proceedings of the Council as to Sir Thomas Montgomery's information against Benjamin Skutt.

1,876. VIII. Deposition of Thomas Fullerton. As to the alleged treasonable language of Benjamin Skutt. 8 August 1688. ½ *p.*

1,876. IX. Deposition of Christianus Gardner. As to the same language. 8 August 1688. ½ *p.*

1,876. X. Deposition of Richard Cartwright. As to the same. 8 August 1688. ½ *p.*

1,876. XI. Extract from minutes of Council of Barbados, 9 August 1688. Respecting unbecoming behaviour of Sir Thomas Montgomery in the Court of Chancery, in consequence of having a bill dismissed. 1½ *pp.* *Endorsed.* Recd. 25 Oct. 1688.

1,876. XII. Deposition of William Hawyes. As to further unbecoming behaviour of Sir Thomas Montgomery, respecting the arrest of Ralph Lane. 20 August 1688. ½ *p.* *Endorsed as the preceding.*

1,876. XIII. Deposition of Thomas Dodd. As to the threatening of the jury by Sir Thomas Montgomery in another case before Court. 21 August 1688. ½ *p.* *Endorsed as the preceding.*

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1,876. xiv. Further deposition of Thomas Dodd as to Sir Thomas Montgomery's misbehaviour. 21 August 1688. ½ *p. Endorsed as the preceding.*

1,876. xv. Deposition of William Robinson in confirmation of the preceding. 21 August 1688. ½ *p. Endorsed as the preceding.*

1,876. xvi. Copy of proceedings in an execution against Ralph Lane. 1½ *pp. Endorsed as the preceding.*

1,876. xvii. Sir Thomas Montgomery's warrant for the commitment of John Langley for an assault on Ralph Lane. *Copy. Endorsed as the preceding.*

1,876. xviii. Warrant of Justice William Chester for arrest of Ralph Lane and another for libel. 23 September 1686. ½ *p. Endorsed as the preceding.*

1,876. xix. Another warrant for arrest of Ralph Lane for riot. 30 September 1686. ½ *p. Endorsed as the preceding.*

1,876. xx. Extract from minutes of Council of Barbados, 18 July 1687. Proceedings against Ralph Lane for a scandalous libel. *Endorsed as the preceding.* [*Col. Papers, Vol. LXIII., Nos.* 50, 50i.-xx., *and (letter and enclosure No.* i. *only), Col. Entry Bk., Vol. VIII., pp.* 7-17.]

Aug. 31. Boston. **1,877.** Captain Francis Nicholson to [William Blathwayt?]. The Governor started for New York on the 31st of July, and I went with him as far as New London, about a hundred and twenty miles from hence. There the Governor heard that some strange Indians had passed through the upper towns on the Connecticut river, doing no harm to the English. But a few days later an Indian came to Springfield, where Colonel Pyncheon lives, who commands the militia in those parts, saying that a little before dawn some Indians fell upon ten or twelve of our Indians ten miles from Springfield, killed five and carried off three. The Governor thereupon despatched Colonel Pyncheon, who brought him the account, to pursue them. Copy of his letter herewith enclosed will tell you of his proceedings. The Governor sent me back from New London, and as I came through Narragansett County I spoke to the Indians there, telling them what had happened, and that if they were afraid to live there in the woods they might go to the next English plantation. I also offered them a reward if they could meet with any of the Indians that had killed their friends. They heard me very thankfully. When I came here I sent to some of the neighbouring Indians and told them the same, who were equally thankful, being frightened. They asked for a little powder and ball, which I gave them. On the morning of the 19th inst. I received the enclosed letter from Mr. John Wing, and a few hours later came the man who gave me the account of Pennycook. About the same time I had the news of the French vessel, and Ensign Pipon, who commands Fort James at Pemaquid, wrote to me of a report among the fishermen that Castine was come to Penobscot with a frigate, to build a fort there, and that Mons. Viilebonne (who was sent to Colonel Dongan last year about the ship seized at

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Penobscot), and, I think, an engineer came in a ketch to Pemaquid on the 17th inst., and made enquiry for a French shallop which they pretended had run away. The officer told them he would enquire for their vessel, which he did, but there was no news of any such, for I believe it was only an excuse for viewing these parts. They had been at Penobscot when Mons. St. Castine complained to them of Sir E. Andros having been there in his absence. The French gentlemen said that St. Castine had complained to the Governor at Port Royal, but that no notice had been taken, so that he had then complained to the Governor of Canada. They stand mightily upon Penobscot being within their boundary, and the Governor of Port Royal has news from France that the frontier between the two towns will be adjusted next January. They say also that they have orders, if they find any English boats fishing beyond Cape Sable, to bid them begone. I have since heard that these gentlemen left Pemaquid on the 23rd.

Upon the news I had from Worcester and elsewhere, I sent a messenger to Pemaquid and to the towns along the coast to warn them, and sent orders to Worcester not to quit the place, for they should be sure of help. On the 19th I went from hence, hearing that some places were much alarmed by the news from Northfield, and were short of arms and ammunition. I went first to secure our Indians about ten miles away and then passed through two or three towns to encourage them. I also sent on two Englishmen and an Indian from Dunstable to Pennycook, which is sixty miles up the Merrimac. Next day I went through Groton and Lancaster and found the people much alarmed, these being out-towns, but encouraged them like the rest by reminding them that they were the subjects of a King who would protect them. At night I came to Worcester, where I ordered the few men left to fortify a house, and sent to reinforce another little settlement with six militia men from Marlborough. I ordered that all men leaving these out-towns should be sent back, for if they were abandoned we should lose communication, except by a roundabout way, with Springfield. At Marlborough and Worcester I found the people much afraid of two Indian forts, for they had noticed that the manner of the Indians towards them had changed of late, and that strange Indians had come among them this summer. I went to the fort some twelve miles from Worcester and found fifty Indians, one third of them men. I could not reach the other fort till late at night. There were rather more Indians there than in the other. I asked both parties if they were afraid of strange Indians, and as they said yes, I told them either to go to the English plantations for security if they could, but if not to disperse in the woods. I let them understand that we were not afraid of them, nor wanted their help. These two Indian forts lie within a night's march of five towns, and might either have been destroyed by an enemy or might have joined with an enemy, so I sent them down among the English plantations. On my way home I visited as many places as I could, and re-assured them, for they were all alarmed. On the 24th I returned, having ridden two hundred and thirty miles, though never above a day's journey from Boston,

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so that I might be within reach of news if anything extraordinary should happen in any other part of the country. I enclose the account given by one of the men whom I sent to Pennycook. The Sachems I have not yet seen, so I intend to go again and see what posture they are in. Since my return I have had several letters full of alarm over the Indians, but have striven to encourage the people with, I hope, good results, for I have heard no more of their fears, but only of their being in a good posture.

I have in prison eight men, supposed to be pirates. They did belong to Peterson, the remainder of Yankey's and Jacobs' company, both of whom are dead. Peterson was in a barcolongo of ten guns and seventy men. He was at Rhode Island this summer, and the Governor sent Captain George of H.M.S. Rose by sea, while I went by land, but he was gone. On enquiry I learned that some of the Rhode Island men had traded with him, whereupon the Governor ordered a Court to try them, but the Grand Jury threw out the bill. Still I have at Salem two ketches under seizure for trading with him, and the masters and several of the men are in prison for the same offence. One of the masters with his ketch came with a prize, that the pirate had taken in the West Indies, to the Island of Martin's Vineyard, and there let them have a man to pilot them to Port Labarre in Nova Scotia. They gave him fifty hides and forty tusks from the prize, which were sold. At Port Labarre they burnt the ship, for there Peterson met them and took eighteen of the men belonging to the prize with him. The rest are in prison. Peterson, after leaving Port Labarre, sailed for the Gut of Cancer, took a ship of Mons. Castine's in the way, and surprised another ship in the gut. Next day the Governor came from the fort of Chebucto to see the ship, and was captured and made to pilot the ship up to the fort. The pirates said they took the fort easily, for all the soldiers were asleep. They plundered it, finding several chests of arms and other goods useful for the Indian trade and great store of provisions, some of which they left to the garrison at the Governor's entreaty; nor did they spike the guns when told that the garrison might otherwise be destroyed by the Indians. They took a ketch afterwards from a Frenchman which had originally been taken from Piscataqua. This vessel Peterson sent back, saying that the French rogues had no business with other people's vessels. He also sent some leagues to fetch another English ship captured by the French, in order to restore her, but she was not to be found; and Peterson would not stay longer, being afraid of H.M.S. Rose. But before he went he released the ketch which had piloted him, and sent her, with ten French fishermen, who were weary of Cancer, to New England. One of these men told me that the Governor of Canada had left Quebec with four thousand men against the Indians, for the Indians had burned a great deal of their corn, and they were afraid for the rest, so much so that the Governor had forbidden the export of provisions. This may or may not be true. The pirates said that they were bound for the Gold Coast, being near a hundred men well armed and victualled for a year. The Governor writes from

New York that he has been to the two Jerseys and settled them, and that in a week he hopes to go to Albany. I have intelligence that the French have been insinuating themselves among the Five Nations, and the Governor has sent to the Indians to tell them that he will be at Albany. He wishes me to join him and see things are quiet here. I shall go to Albany by Springfield, and so through the woods, to see if I can hear of the Indians who have done the mischief, for they were reported to be from the French and to have marched in two companies, of which that which killed the English is returned, but not the other. I had the happiness of sending the Governor the news of the birth of the Prince of Wales. Though it reached me late at night I endeavoured to solemnise it as well as the place and time could afford. *Signed,* Fr. Nicholson. 5½ *large pages. Endorsed.* Recd. 13 Oct. 1688. Read 17 Oct. *Printed in New York Documents III.*, 550-554. *Enclosed,*

1,877. I. John Pyncheon to Francis Nicholson. Springfield, August 21, 1688. Last week I sent warnings to Brookfield and Worcester, and when I came home hastened to Northfield with twenty or twenty-four soldiers, and in two days' time had three houses there fortified, left three men with them, one for each garrison, and returned about the 9th inst., leaving all well. A few days before I went up intelligence was brought of Indians about three miles this side of Northfield, and twelve men went out after them and came upon them, but could not follow them. I left the people at Northfield in a good posture, and thinking themselves secure with their three fortified houses, and I expect they were too secure; for on the 16th, while the men were at work in the meadows, the Indians came down into the broken ground at the north end of the town, killed three women and were gone in a trice. I at once sent fifty soldiers from the several towns here on hearing of this, who came upon an Englishman shot dead, but saw no Indians and little sign of them. Other parties have been out since, but without better success. The Indians are evidently gone, and when the next shock will fall no one knows. I took a list of the people in Northfield when I was there—but twenty-nine men, of whom three have been killed—and their harvest is still to get in. They wrote to me for twenty-four or thirty men, but we cannot afford them, for the towns are weak. This town consists mostly of out-farms, and few homes are together. The town-plot, indeed, is tolerably safe, but half the people are three or four miles distant from it, so that the securing of a place so threatened is absolutely necessary. Some I call in, others I help to fortify. I have sent six men to Brookfield to bring off the women and children. Thirty of the men here have been sent to help different places, and now we have been alarmed by the discovery of an Indian in the woods, and by the report of firearms. I am sending out scouts, but I cannot hold the town

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against sudden incursions if all the people be sent elsewhere, so you may send me at least sixteen or twenty soldiers to secure Northfield, that we may recall our own men to defend our own place. Duckfield and Brookfield would also be glad of a few men. At Northfield arms are wanted; send me at least twenty and ammunition. I will do all I can. *Signed*, John Pyncheon. 2½ *very closely written pages. Endorsed.* Recd. 13 Oct. 88.

1,877. II. The same to the same. Springfield, August 27, 1688. Thanks for your care of us. When the men whom you have ordered reach Northfield I hope that it may be secure, though arms are wanting, and I know not that they have any stock or magazines to go to. Some of our men are returned, but some are still at Northfield, whom I shall call in when the new men arrive. Since the attack on Northfield the people have made diligent search for the Indians, but can find nothing of them. There are many reports of them about these towns, but nothing certain. *The rest of the letter is practically a repetition of the preceding letter.* 1½ *pp. Endorsed.* Recd. 13 Oct. 88.

1,877. III. John Wing to Francis Nicholson. Worcester, 17 August 1688. I have heard from Colonel Pyncheon of an Indian attack on Northfield. He fears the whole town is cut off. I shall send away our women and children to-night. If I can persuade the men to stay I shall endeavour to garrison the place for defence as well as I can, but here no one has any power of command. I shall do what I can by persuasion and advice. *Signed*, John Wing. ½ *p. Endorsed as the preceding.*

1,877. IV. Information of Josiah Parker of Groton, received from an Indian. That there were two hundred Indians at Pennycook, many of them French, gathered into a fort, and discussing whether they should fight the English; the young men being for and the old men against fighting. *Signed*, Josiah Parker. ½ *p. Endorsed as the preceding.*

1,877. V. Information of William Hobby. As to the visit of a French ketch to the harbour of Menhegoune on pretext of search for a missing sloop. *Signed*, Wm. Hobby. 19 Aug. 1688. 1½ *pp. Endorsed as the preceding.*

1,877. VI. Information of Robert Paris. As to his journey to Pennycook, on which he found no sign of hostile preparations among the Indians. ½ *p. Endorsed as the preceding.*

1,877. VII. Governor Andros's proclamation of a day of thanksgiving for the birth of the Prince of Wales. *Copy.* 2 *pp. Endorsed as the preceding.* [*Col. Papers, Vol. LXIII., Nos.* 51, 51I.-VII., *and (without enclosures), Col. Entry Bk., Vol. LXII., pp.* 30-36.]

[Aug.?] 1,878. Petition of Increase Mather, Samuel Nowell and Elisha Hutchinson, on behalf of the people of New England, to the

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King. We, your dissenting subjects, have been hardly treated. We beg for liberty of conscience and of property, and for a charter confirming the government of Cambridge College as originally established. *Copy.* 1 *p.* *Annexed,*

1,878. I. Memorial of the condition of dissenters in New England. We are the wealthiest people in New England, and have cheerfully submitted to the present form of Government, but it has been the artifice of some in the Church of England to traduce us as disloyal. We are not suffered to set apart days of prayer and thanksgiving, not even for the royal declaration of liberty of conscience. The service of the Church of England has been forced upon our meeting houses. Punishment has been threatened to any who give the value of twopence to maintain a Non-conformist minister. We have been fined and imprisoned for scruples as to taking an oath in any but our ancient form of lifting the hand. Dissenters' lands are measured out and given to Anglicans, and liberty to improve their property is denied them. Whole towns are under dread of having their lands seized unless they give money to re-purchase them. We are told by those in authority that we are no better than slaves, and have no title to property or to English privileges. Some of us have been imprisoned without cause assigned, others forced to pay fines extorted from them by inferior officers; and it is commonly reported that the college built for Non-conformists will be taken from them and given to the Church of England. 1½ *pp.* [*Col. Papers, Vol. LXIII., Nos.* 52, 52I.]

[Aug.] **1,879.** Memorandum. On the petition of the gentlemen from New England (*see preceding abstract*), the King has been pleased to declare that he will grant them full and free liberty of conscience and exercise of religion, their property and possession of houses and lands, and that Cambridge College shall be governed by a president and fellows as formerly; all of which to be confirmed to them under the great seal. *Scrap.* [*Col. Papers, Vol. LXIII., No.* 53.]

Sept. 1. **1,880.** Minutes of Council and Assembly of Nevis. Act for planting provisions passed. Agreed that 1,000 lbs. of sugar shall be paid to anyone taking or killing an outlawed negro. [*Col. Entry Bk., Vol. XLVIII., pp.* 179, 180, *and p.* 225.]

Sept. 1.
Barbados. **1,881.** Lieutenant Governor Stede to the Earl of Sunderland. Recapitulates the proceedings in respect of Pendleton's complaint against Benjamin Skutt; the account of the rejoicings over the birth of the Prince of Wales; and of the Attorney General's attitude in respect of the treatment of white servants; and proceeds. Sir Thomas Montgomery is a very troublesome man, who, by causing discontent wherever he goes, gives me much trouble, and is equally disorderly before me in Chancery, in the Council, and in the Courts of Justice, where he threatens juries to attaint them if they find against his clients. Many other

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things he does which cannot be passed without notice, but when I correct him he is discontented and thinks me his enemy, though I have hitherto done so in the gentlest manner possible. He regards me so little that I must deal with him more hardly since he will not reform. It would be tedious to give you particulars, but I have sent Mr. Blathwayt many papers and affidavits concerning his irregular proceedings, which will be laid before you, for I am unwilling to make a formal charge against him, since he may still mend his ways. Besides, his proceedings do not endanger the peace and safety of the island, for his humours are so well known that he has no admirers except those of his own country, who are neither numerous nor eminent here. The Jesuit I mentioned to you in my last is still here, and designs to remain. I have ordered that none shall molest him in the discharge of his spiritual duties, and I believe that he is everywhere civilly used. I have told him to inform me if he is not. The only reason why his presence is resented is, as I have already informed you, that he is suspected of being a spy. I have no further news to give you of wrecks or pirates. In my last I laid before you the case of the escheat of an alien's estate. I have published an order that anyone possessing any property escheated to the King shall, if they come in and acknowledge the same, have the preemption of the escheat, be used kindly in the purchase, and be rewarded for the discovery. This has brought in two or three small ones, and I hope will bring in more. Even this displeases Sir Thomas Montgomery, I suppose because he thinks my proceedings will diminish his profits. He says that I ought not to sell such estates except at their full value, and that if I continue to do so he will inform the King. I told him he might spare himself the trouble, as I had already informed the Lords of the Treasury, who had not disapproved. If you proceed to obtain a grant of the escheats here please do so with all possible privacy; for if the people know that the King has granted them away, they will be less willing to make discovery or compliance in such cases. If you do not think it worth while to obtain a grant of escheats in general I would advise you to obtain the escheat already mentioned of the alien, and those of one Robert Houston and one William Revell; as the three together may be valuable. Pray intercede that I may have leave to accept the thousand pounds granted to me by the Council and Assembly. *Signed*, Edwyn Stede. 3½ *pp. Endorsed.* Recd. 29 Oct. 1688. [*Col. Papers, Vol. LXIII., No.* 54, *and Col. Entry Bk., Vol. VIII., pp.* 18-27.]

Sept. 2. Bermuda. **1,882.** Henry Hordesnell to Lords of Trade and Plantations. The news of the birth of the Prince of Wales has filled us with joy inexpressible. The Governor has appointed a day of thanksgiving. All is quiet here. Pray let me remind you of the case of Cooke (*see No.* 1836). *Signed*, H. Hordesnell. 1 *p. Endorsed.* Recd. 25 Oct. 88. [*Col. Papers, Vol. LXIII., No.* 55, *and Col. Entry Bk., Vol. XVIII., pp.* 192, 193.]

Sept. 3. Barbados. **1,883.** Lieutenant Governor Stede to William Blathwayt. I enclose herewith Mr. Skutt's papers of defence against Pendleton's

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charges, which are sent by his desire. Your charity in procuring the King's order for the discharge of the poor Deputy-Marshal, who has been long a prisoner, was very great and seasonable. I hope God will reward you, for the man is miserably poor and almost dead from lying in gaol. Thank you for obtaining a confirmation for my brother in the receiving office of the four-and-a-half per cent., for which he was well qualified. He resigned it to Mr. Wharton, who bought a commission from the Commissioners of Customs, but I expect Wharton will be glad to quit the office and return to England, the profits being far short of his expectations, and he himself always sickly here. *Signed*, Edwyn Stede. *Holograph.* 1 *p.* *Endorsed.* Recd. 25 Oct. 88. *Enclosed*,

1,883. I. List of the enclosures, sixteen in all. 1 *p.*

1,883. II. Justice Samuel Wiseman's *mittimus* for William Pendleton, for using threatening language to Mr. Skutt. April 1688. *Copy.* 1 *p.* *Endorsed.*

1,883. III. Deposition of Samuel Wiseman as to the granting of said *mittimus.* 7 August 1688. ½ *p.* *Endorsed.*

1,883. IV. Deposition of Samuel Bateman as to Pendleton's behaviour on board ship while on passage to Barbados and also ashore. 4 August 1688. 1½ *pp.* *Endorsed.*

1,883. V. Deposition of William Hollingsworth, constable, as to the threatening language used by Pendleton. 7 August 1688. ½ *p.* *Endorsed.*

1,883. VI. Deposition of Joseph Ellison to same effect. ½ *p.* *Endorsed.*

1,883. VII. Deposition of Richard Turner, to same effect. 7 August 1688. 1 *p.*

1,883. VIII. Deposition of John Howlett, to same effect. 18 August 1688. ½ *p.*

1,883. IX. Deposition of Rowland Tryon, to same effect. 20 July 1688. ½ *p.*

1,883. X. Deposition of Jonathan Osborne, to same effect. 20 July 1688. ½ *p.*

1,883. XI. Deposition of Benjamin Dwight; that Pendleton threatened to swear treason against Skutt. 20 July 1688. ½ *p.*

1,883. XII. Deposition of Jane Forrester; as to abusive language used by Pendleton of Skutt. 7 August 1688. ½ *p.*

1,883. XIII. Deposition of Cholmley Elcocke; as to Pendleton's behaviour on board ship. 3 August 1688. 1 *p.*

1,883. XIV. Deposition of William Heysham, to same effect. 31 July 1688. 1 *p.*

1,883. XV. Deposition of Thomas Morris; as to the conversation that took place between Skutt and Sir Thomas Montgomery. 20 August 1688. ½ *p.*

1,883. XVI. Deposition of John Legard, in confirmation of the preceding. 20 August 1688. ½ *p.*

1,883. XVII. Deposition of Samuel Bateman, in further confirmation. 20 August 1688. 1 *p.* [*Col. Papers, Vol. LXIII., Nos.* 56, 56I.-XVII.]

1688.
Sept. 4.
Windsor.
1,884. The King to the Duke of Albemarle. We are sorry to learn that Stephen Lynch, Sir Robert Holmes's agent in Jamaica, has met with so much opposition in Jamaica that he despairs of doing the good work in which he is employed. Of this we have abundant evidence (*see No.* 1865). All this is contrary to our instructions. You will take care that henceforth all your officers shall assist Mr. Lynch or any other such agent in the suppression of pirates. You will discharge all pirates who have earned their pardon, and you will protect Lynch from any legal proceedings from them. The agents shall, in future, be discharged from any security forcibly imposed on them, and shall not be molested, our intention being that they shall be answerable to us alone. *Countersigned,* Sunderland. [*Col. Entry Bk., Vol. XXXII., pp.* 129-132.]

Sept. 6.
1,885. Receipt of Richard Whiffin for certain papers delivered to him at the Plantation Office. ½ *p. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 57.]

Sept. 6.
Virginia.
1,886. Governor Lord Howard of Effingham to the Earl of Sunderland. I am about to visit the northern parts of Virginia, having visited the southern in the summer. I transcribe a duplicate of my letter of 19 August (*see No.* 1867). 1½ *pp.* [*Col. Papers, Vol. LXIII., No.* 58.]

Sept. 24.
Jamaica.
1,887. The Clerk of Council of Jamaica to William Blathwayt. I send the minutes of Council, and some amendments which are ordered to be made in the copies already sent. *Signed,* F. Hickman. 1 *p. Endorsed.* Recd. 28 Dec. 88. [*Col. Papers, Vol. LXIII., No.* 59.]

Sept. 29.
Bermuda.
1,888. Henry Hordesnell to Lords of Trade and Plantations. Our Governor has, I am told, received from you an order for an account of the King's lands here. I sent you an account some time ago, and enclose a copy. Every share of land is at this moment worth £300, and several have sold lately for £350. Despite the several orders sent to the Governor I have never yet received a line to tell me how to dispose of myself. I am weary of idleness; spending the King's money and doing him no service is no pleasure to me. I dare not return without orders. The Governor tells his minions what favour he is in, but the judge is unnoticed. I do not trouble myself with this, but I wish to employ my time profitably to the King. *Signed,* H. Hordesnell. 1 *p. Endorsed.* Recd. 24 Dec. 88. [*Col. Papers, Vol. LXIII., No.* 60, *and Col. Entry Bk., Vol. XVIII., pp.* 194, 195.]

Sept. 29.
1,889. Minutes of Council of Maryland. Letter of Lord Baltimore announcing birth of the Prince of Wales read, and ordering a day of thanksgiving for the same. Letter from the Lords of Trade as to the same. Order for day of thanksgiving accordingly. [*Col. Entry Bk., Vol. LIV., pp.* 182, 183.]

Oct. 1.
Jamaica.
1,890. Governor the Duke of Albemarle to the Earl of Craven. I have sent a particular account of the Acts passed by the Assembly,

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I have done my best to fulfil my instructions. I have been so ill that my physicians despaired of my recovery, but it has pleased God to restore me. Since Mr. Lynch's return from Porto Bello his behaviour to me has been most insolent. Had he not been deputed by the King I should have given him deserved correction. His mismanagement has cost the island £100,000. Coxon, the great pirate, and several of his men have surrendered to me. I sent them to Lynch. *Signed*, Albemarle. 1 *p*. *Endorsed.* Recd. 8 Jan. 1688-9. [*Col. Papers, Vol. LXIII., No.* 61.]

Oct. 1. Whitehall. 1,891. The King to the Governor of Bermuda. Granting permission henceforth for Bermudian produce to be laden on any ships that are duly qualified, with the same freedom that is allowed to all other Colonies. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. XVIII., pp.* 179-181.]

Oct. 2. 1,892. Minutes of Council of Barbados. Order for publication of the King's proclamation against drunkenness and debauchery. William Pendleton presented a petition to bring an information against Benjamin Skutt for the use of treasonable words. The Assembly brought up bills for the ordering of apprentices and for the better regulating of outcries in open market, which were held over until to-morrow. Sir Thomas Montgomery's paper against Mr. Skutt, and the latter's answer. The case of William Kelly.

Oct. 3. 1,893. Orders for payment of matrosses and for rebate of duties. [*Col. Entry Bk., Vol. XII., pp.* 93-100.]

Oct. 3. 1,894. Minutes of Council of Maryland. Mr. William Joseph produced a commission from Lord Baltimore for himself and six others to be his Lordship's deputies. A letter from Lord Baltimore read, stating that Mr. Joseph is to be the first of his deputies and that he has full instructions. William Joseph was sworn accordingly. [*Col. Entry Bk., Vol. LIV., pp.* 184-186.]

Oct. 4. New York. 1,895. Governor Sir Edmund Andros to Lords of Trade and Plantations. I arrived here on 11 August last, when I made publication of the King's patent in this place, also in East New Jersey on the 15th, and in West New Jersey on the 18th. News of the birth of the Prince of Wales reached us on the 23rd, and though late in the day was solemnised with all demonstrations of joy. I have been at Albany and have seen all the Five Nations. I found them as well disposed as I could expect, and left all well. Since my coming here I have had an account of mischief done by Indians from Canada on the Connecticut river, and lately at Casco bay to the eastward, but as it is imperfect shall not trouble you with it till I return to Boston, whither I am hastening by land. I wrote to Canada by express on my first arrival here, and since on occasion of the mischiefs, but have had no answer. *Signed*, E. Andros. 1 *p*. *Endorsed.* Recd. 24 Dec. 1688. *Printed in New York Documents III.*, 554. [*Col. Papers, Vol. LXIII., No.* 62, *and Col. Entry Bk., Vol. LXII., p.* 40.]

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Oct. 4. **1,896.** A collection of papers enclosed with the preceding letter.

1,896. I. Governor Sir Edmund Andros to the Governor of Canada. New York, 11 August 1688. I beg to announce that the King has annexed this province to the Government of New England. I am, by the King's orders, to demand from you the release of his subjects, Indian and other, who were surprised by you in the lawful prosecution of their trade, together with the restitution of their goods and effects. The King has thought fit to own the Five Nations as his subjects, and is resolved to protect them as such, but so as always to give satisfaction for any injury inflicted by them on French subjects, and to restrain them from committing such injury, provided that French subjects extend the like treatment to them. *Copy.* 1 *p.* *Endorsed.* Recd. 20 Dec. 1688. *Printed in New York Documents III.*, 555.

1,896. II. The Governor of Canada to Governor Dongan. Ville Marie, 10-20 August 1688. I have received your letters by Mr. Wessells, both requiring a long reply. I also could find much to say to you on the doings of those wild wolves of Albany and others, but since the latest orders of the King your master you will doubtless be on better terms with us. At present I have only to thank you for your care in withdrawing our prisoners from the Indians, and to assure you that the whole Colony recognises your good offices towards these poor men. I do not doubt of the same care in you to obtain the rest. You tell me that you have ordered the Indians to withdraw all their parties, but I see no prospect of receiving assurances from some tribes that they will not make war on us still. I mention this that you may not be surprised if I have given no orders to our Indians to cease hostilities until I know the sentiments of those tribes which I expect every day. Still I will do my best to maintain peace. As regards the fort of Niagara I shall withdraw the garrison as soon as I see things brought to a settlement. *Signed,* Le M. de Denonville. *Endorsed as the preceding.* *Printed in New York Documents III.*, 556.

1,896. III. Report of the River Indians examined by Captain Wendall, 24 August 1688. As to a meeting between English and French Indians in the country between Canada and the north. The two sides were fighting, when the English, finding themselves the weaker, said that their orders were to fight no more. ½ *p.* *Endorsed.* Recd. 20 Dec. 1688.

1,896. IV. Extract of Minutes of Council of New England. 29 August 1688. Resolution of the Council, on the request of Colonel Dongan for audit of his accounts, that it has no power to meddle with such accounts or payments

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of the late Government. 1 *p. Endorsed as the preceding.*

1,896. v. Extract from the same. 5 September 1688. Order of the Council that if Colonel Dongan will signify what sum is wanted to pay off the disbanded officers and soldiers, they shall be satisfied. 1 *p. Endorsed as the preceding.*

1,896. vi. Clerk of the Council to Governor Dongan. Esopus, 5 September 1688. Informing him of the above order in Council. ½ *p. Endorsed as the preceding.*

1,896. vii. Governor Dongan to [?] New York. 8 September 1688. I delivered to you and the Council my accounts of the expenses of the late troubles. When Mr. West gave me the minutes of Council that says you were not to take notice of the expenses incurred before the annexation of New York to New England, he told me that the accounts were among the rest of his papers sent up the river, and must therefore come before you. I am glad that the Council are not such people as he would have represented them to Sir Edmund. I believe everyone of them would be forward to serve King and country for what malice you bear to me *(sic)*. It is very unreasonable that the King's affairs should be delayed. I am sensible of no occasion given unless that I have gone through so long a trouble at so little cost and left everything so well settled. I am going to England; if you have any service there you may command me. *Copy.* 1 *p. Endorsed as the preceding.*

1,896. viii. Examination of an Indian named Magsigpen, at Albany, 15 September 1688. As to the meeting between French and English Indians, when the English saved a fight by reporting cessation of hostilities. 3 *pp. Endorsed as the foregoing. Printed in New York Documents III.*, 561-563.

1,896. ix. Account of the interview between Sir Edmund Andros and the chief of the Five Nations at Albany. 18-21 September 1688. Addresses of the Indians welcoming the Governor, and of the Governor exhorting them to observe the cessation of hostilities, and to bring in all the French captives, but at the same time to be on their guard. The Indians promised to have no dealings with the French, and producing a captured French child promised to give up the rest of their prisoners. 6½ *pp. Endorsed as the preceding. Printed in New York Documents III.*, 557-561.

1,896. x. Sir Edmund Andros to the Governor of Canada. Albany, 19 September 1688. I am sorry to acquaint you that some of our Indians have been murdered near Springfield, and some of our Christians at Northfield. I have seen your letter of 20th ult., in which you avow that you have not restrained your Indians from hostility, but are awaiting assurances from ours. I think this

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very extraordinary, and I desire that you will forthwith send the murderers to me. I cannot tell you what mischief this has already occasioned in New England, but I think you will be sensible of it, and have therefore ordered no pursuit. I have also bidden the Five Nations to observe the cessation of hostilities, and to give up their French captives. I presume that by this time you have withdrawn your garrison from Niagara. I await your reply as to that and as to all other details comprehended in the truce. *Copy.* 1½ *pp. Endorsed as the preceding. Printed in New York Documents III.*, 557.

1,896. XI. Examination of Derrick Wessells. I was sent to the Governor of Canada to carry the news of the cessation of hostilities, and on the 22nd June delivered it into his own hand at Montreal. I was later sent up by Governor Dongan to Montreal with some prisoners. A few days later the Governor told me and John Rosie that some Indians had left Canada with the Maquas and not returned, and that he hoped that they would do no mischief. The Governor said also that if the truce were broken it could not be helped. I believe that I met one of the Indians afterwards concerned in the murders in Connecticut. Sworn 25 September 1688. 2 *pp. Endorsed as the preceding. Printed in New York Documents III.*, 564.

1,896. XII. Examination of John Rosie. 25 September 1688. In confirmation of the information given in *No.* XI. *Printed in New York Documents III.*, 563.

1,896. XIII. Information from the Indians, communicated by the magistrates of Schenectady. 29 September 1688. Four Maquas, supposed to be spies, are come from Canada, and more are expected this winter. Some Indians have come in with scalps from New England, and the Governor of Canada is very angry about it. He is now at Montreal. The Indians who committed the murder are fled from Canada. The Ottawas have killed some of the Onandagas, the tribe of the Five Nations most affected to the French. 1½ *pp. Printed in New York Documents III.*, 565.

1,896. XIV. Sir Edmund Andros to the Governor of Canada. New York, 1 October 1688. I have received an account of the murders by Indians in Casco Bay, where they brag of further assistance and encouragement from Canada. I must represent this to you and send you duplicates of my former letters, not doubting that you will prevent your Indians from joining with these malefactors, and refuse shelter to the malefactors themselves. I desire that any prisoners brought to you may be freed, and that those who brought them in may be secured, and that the prisoners brought in from Connecticut may be released and sent home. I hope I shall hear from you shortly for the better maintenance of a good under-

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standing between the two crowns. *Copy.* 1 *p.* *Endorsed.* Recd. 20 Dec. 1688. *Printed in New York Documents III.*, 566.

1,896. xv. Colonel Dongan to Sir Edmund Andros. New York, 2 October 1688. The King expects, as I learn from England, that all Governments here should bear their own charges out of their established revenues and local taxes. I beg therefore that auditors may be appointed to pass my accounts from 25th March last, also the accounts now before your Excellency and Council (as I hear that Mr. Cortlandt has not yet signed them) before your Excellency leaves this place. The collector will give account of the revenue, Mr. Cortlandt of the penny and a half per pound raised for the support of the Government, and I myself for the £500 sent by Lord Howard of Effingham, deducting out of the whole what will be found by the audit to have been disbursed by me, and paying the rest towards the expenses now lying before the Council. *Signed,* Tho. Dongan. 1 *p.* *Endorsed as the preceding.* *Printed in New York Documents III.*, 566.

1,896. xvi. Minutes of Council of New England. New York, 2 October 1688. Colonel Dongan's letter (*see preceding abstract*) read, and consideration deferred. *Signed,* John West. 1 *p.* *Endorsed as the preceding.*

1,896. xvii. The same. 3 October 1688. Resolved that the Council has no authority to audit Colonel Dongan's accounts, but will be prepared to consider any obstruction to his former orders caused by the change of Government. Major General Winthrop, Captain Nicholson, and Colonel Bayard to inform Colonel Dongan accordingly. 1 *p.* *Endorsed as the preceding.*

1,896. xviii. The same. 4 October 1688. The gentlemen appointed to wait on Colonel Dongan reported his answer that he had no particular authority for audit of his accounts, but that this was the practice under himself and his predecessor, and he hoped it would be followed now. 1 *p.* *Endorsed as the preceding.* [*Col. Papers, Vol. LXIII., Nos.* 63, 63I.-xviii.]

Oct. 4. New York. **1,897.** Warrant by the Governor of New England for the survey of the forts at New York and for a report as to the necessary repairs. *Signed,* E. Andros. *Countersigned,* John West. 1½ *pp.* *Endorsed.* [*Col. Papers, Vol. LXIII., No.* 64.]

Oct. 5. Barbados. **1,898.** Lieutenant Governor Stede to Lords of Trade and Plantations. I have duly received and shall obey the King's orders to aid Sir Robert Holmes in the suppression of pirates, though, as I have already informed you, there is little prospect of such offenders coming this way, as this is no place to shelter them from justice. They generally go to North America, and it is there that the pirates of the South Seas are said to be gone. Those who captured the sloop in which I had a share went to Newcastle, Pennsylvania, and landed at midday with as much confidence and assurance as the most honest men in the world, without any molestation whatever. Their plunder amounted to from twelve to fifteen thousand pounds. They dismissed the master and sloop at Newcastle, and she is since arrived here with a lost and broken voyage, having taken only 117 pieces-of-eight from the wreck, half of which is the King's. I am a great loser by this adventure, as also by another of the same kind. Others also have lost, but hope to make their losses good by finding new wrecks, of which I believe they know no more than I do. Tobago remains under the command of the captain of the troops. I do not believe that the Duke of Courland's settlement there will ever be successful. The island lies too far from Courland, and is ill supplied with men. I wish the French were as ill able to settle that portion of Tobago which was formerly possessed by the Dutch. I fear they will be always dangerous neighbours to the King's islands, and therefore wish they might be hindered in this design, and that Tobago could be made over entirely to the Duke of Courland.

The Commission appointed to report as to the King's rights in St. Lucia, St. Vincent and Dominica has examined all the people who could give evidence in regard thereto, and I am persuaded that the French claims are founded only on the pretence of an agreement between the English and French Governors during a time of rebellion and usurpation, and of subtle encroachments which were allowed to pass unnoticed by Sir Jonathan Atkins and Sir Richard Dutton. These two took little care of these uninhabited islands, but let everybody do what they pleased there, not considering the prejudice that must accrue to the King's interest. I enclose the report and the depositions, which I hope will be satisfactory. Sir Thomas Montgomery's paper addressed to myself and Council concerning Mr. Skutt has been considered, and we have decided to lay it before you for the King's order. We find little in Sir Thomas's paper but some anger against Mr. Skutt, and some mischievous reflecting upon myself and Council. Mr. Skutt's answer to the paper is enclosed. What uneasiness and debate there is in the island is entirely brought about by a few factious spirits, whom I have endeavoured to suppress. In course of this duty I have been obliged to turn Mr. Willoughby Chamberlayne, a member of Assembly, out of the commission of the peace and of his public employments for beating the King's officers in the execution of their duty, and have bound him over to answer for his conduct at the next Sessions. Nor can I say anything favourable of Sir Timothy Thornhill, who petitions me constantly to be restored to the Council and to all his offices, giving as his reason the one reason which makes me most unwilling to comply, viz., that having been fined he is now cleared, and ought to be restored. I answered only that though I could suspend from the Council, I could not restore the suspended without the King's orders. It will be much for the peace and good order of the island if Sir Timothy continue out of all places of command till he is grown cooler and given signs of being reformed and of keeping the peace, which he daily breaks according to his own violent humour, until at

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last it has been necessary to bind him over to good behaviour. He boasts much that he expects the King's *mandamus* for his restoration, and as this might be granted by the King's goodness for want of a true account of him, I make this report. If he be set again in authority he will not fail to do mischief, for there are not wanting men who desire his restoration for their own evil reasons. The people generally despise these debauched and disorderly men. I am obliged again to trouble you with several depositions concerning certain vile, treasonous words sworn by one Kelly against one Mr. John Wilson, a Scotchman and a minister, who has lived long in this island without giving the least suspicion of disloyalty. He has lived inoffensively in his parish with his neighbours without meddling in State affairs or religious controversy. I know nothing of the informer Kelly, who only recently arrived from Antigua in a very poor condition. From his expression and behaviour he appears to be *non compos mentis.* I examined him in Council as to his depositions, but though he stuck to the words used, he varied much as to the time, and he used many vain expressions that he is a man of great account, who has done the King great service, that he is a lord's son and so forth; which I conceive to be the expressions of a disordered brain. Wilson meanwhile stands bound to answer the charge. I beg the King's orders. I have for a second time celebrated the birth of the Prince of Wales with all magnificence. I enclose my directions to the clergy and laity on this occasion. I beg again for forty long whole culverins for the forts. *Signed,* Edwyn Stede. 3 *pp.* *Endorsed.* Recd. 10 July 1689. *Enclosed,*

1,898. I. Lieutenant Governor Stede's commission to Thomas Walrond, Francis Bond, John Hallett, Henry Quintyne and Christopher Codrington to ascertain the King's rights to St. Vincent, St. Lucia and Dominica. *Dated* June 22, 1688. *Copy.* 1 *p.* *Endorsed.* Recd. 11 July 1689.

1898. II. Report of the Commissioners appointed to enquire into the King's title to St. Vincent, St. Lucia and Dominica. King Charles I. on the 2nd of June in the third year of his reign erected all the Caribbean Islands between the tenth and twentieth degrees of latitude into a province under the name of Carlisle. We find that Lord Carlisle, on the 26th February 1646, leased the whole of these islands to Lord Willoughby of Parham for twenty-one years, that King Charles the Second bought back the whole of the islands from Lord Carlisle's heir, and that the possession was uninterrupted except by a few unauthorised Frenchmen. In 1672 it was resolved to send a sufficient force from Barbados to Dominica to preserve the King's ancient right thereto, which was done. We have also examined the most aged and best knowing inhabitants, and find that Barbados was settled in 1625, St. Lucia in 1635 and 1637 by people from Bermuda, in 1638 from St. Christopher's, and in 1640, 1644 and 1645 from Barbados. Colonel Christopher

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Codrington also deposes that some few years since Captain James Walker was sent with an armed force to subdue the Indians of St. Vincent, St. Lucia and Dominica, and drove the French from those islands. *Signed,* Thomas Walrond, Francis Bond, John Hallett, Henry Quintyne. 23 September 1688. *Copy.* 2 *pp.* *Endorsed.* Recd. 11 July 1689.

1,898. III. Conveyance of St. Lucia to the English by the Indians. 6 April 1663. *Copy.* 5 *pp.* *Endorsed.* Recd. 10 July 1689.

1,898. IV. Extract from minutes of Council of Barbados. 4 April 1672. Resolution of the Council to send an armed force to Dominica to preserve possession of the island. *Copy.* 2 *pp.* *Endorsed.* Recd. 11 July 1689.

1,898. V. Deposition of Richard Buddin. As to an English settlement in St. Lucia in 1665, in which he took part. Sworn 26 June 1688. 1 *p.* *Endorsed as the preceding.*

1,898. VI. Deposition of George Summers, aged 82. Came to Barbados in 1628. Some forty-eight years since a party of settlers went to St. Lucia, led by one William Lewis, a planter. Sworn 2 July 1688. 1 *p.* *Endorsed as the preceding.*

1,898. VII. Deposition of Henry Walford. Was one of a party of settlers that went to St. Lucia with Colonel Christopher Carew about twenty-four years ago, when they found some French in the island, and ordered them to leave it. Sworn 5 July 1688. 1 *p.* *Endorsed as the preceding.*

1,898. VIII. Deposition of Captain Ambrose Rouse. That he went to St. Lucia with Colonel Carew in 1665 as his captain, when Carew re-took possession of the island for the King, and received from the Indians the surrender thereof. Sworn 10 July 1688. ½ *p.* *Endorsed as the preceding.*

1,898. IX. Deposition of Dorothy Belgrove. That in 1637, when she was living at Bermuda, some of the people started to settle St. Lucia. Some of the settlers lodged in her house. Sworn 10 July 1688. ½ *p.* *Endorsed as the preceding.*

1,898. X. Deposition of Humphrey Powell. That fifty years since several men were sent from St. Christopher's to settle St. Lucia. Sworn 17 July 1688. ½ *p.* *Endorsed as the preceding.*

1,898. XI. Deposition of Charles Collins. Was one of a party that went to Dominica under Colonel Lewis Morris and visited St. Vincent and St. Lucia also, and negotiated with the Indians for purchase. Sworn 5 September 1688. 2½ *pp.* *Endorsed as the preceding.*

1,898. XII. Deposition of Christopher Codrington. As to James Walker's expedition for the subdual of St. Vincent, St. Lucia and Dominica. Sworn 30 June 1688. 1½ *pp.* *Endorsed as the preceding.*

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1,898. XIII. Sir Thomas Montgomery to the Governor and Council of Barbados. It can be proved that Mr. Skutt denied his hand upon a commission obtained by himself from the Court of Common Pleas. Also Mr. Skutt received from London a list of the aldermen put out by the King and of those put in by him. He called the latter the greatest rogues living, and said that the King risked his Crown by putting them in power. I bring these matters forward and remind you of Pendleton's information not from malice towards Skutt but from my duty to the King. *Signed,* Tho. Montgomery. 9 August 1688. *Copy.* 2 *pp.* *Endorsed as the preceding.*

1,898. XIV. Benjamin Skutt's answer to the foregoing paper. I was not acquainted with Sir Thomas Montgomery before I arrived in the island, but I had intended to have employed him as the lawyer for the Royal African Company. But seeing him lay himself out to thwart the Government and oppose the laws, I entrusted the business to others, which infinitely incensed him, and made him avowedly my implacable enemy. Pendleton, after attempting my life, was kindly received by Sir Thomas, and soon after swore an information against me, but I am not afraid as to my innocence. Sir Thomas accuses me of denying my hand on a commission obtained from the Court of Common Pleas. Fortunately gentlemen were present at the time, whose depositions I produce. Then as to what I said of the aldermen of London. I do receive a list as he says, and it is very probable that I called those who were turned out loyal, honest men. They were all my friends and acquaintances. But I never called the rest rogues, for they, too, are most of them my friends, and I never presumed to censure the action of the King. If I chose to retort with every idle word that Sir Thomas has spoken I should have a large field. *Signed,* Ben. Skutt. 6 October 1688. 3 *pp.* *Endorsed as the preceding.*

1,898. XV. Deposition of William Harding. In confirmation of Skutt's defence of himself in the matter of his signature to the commission from the Court of Common Pleas. Sworn 8 October 1688. 1 *p.* *Endorsed as the preceding.*

1,898. XVI. Extract from minutes of Council of Barbados. 2 October 1688. Sir Thomas Montgomery's accusation against Mr. Skutt was read and Mr. Skutt's reply. Resolved that both be sent to the Lords of Trade and Plantations. 1 *p.* *Endorsed as the preceding.*

1,898. XVII. Extract from minutes of Council of Barbados. 8 August 1688. Ordering that John Langley, unjustly committed by Sir Thomas Montgomery, be released. 3 *pp.*

1,898. XVIII. Similar extract. 9 August 1688. As to misbehaviour of Sir Thomas Montgomery in Court, and an

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unjust and untrue charge brought by him against the deputy secretary. 2 *pp.*

1,898. xix. Deposition of William Domelawe. As to insulting words spoken by Sir Thomas Montgomery to Benjamin Skutt, the latter having questioned Sir Thomas's statement that the nobility of Scotland had better estates than that of England. Sworn 14 August 1688. ½ *p.* *Endorsed.* Recd. 10 July 1689.

1,898. xx. Deposition of Jonathan Hutchinson. To same effect as the preceding. Sworn 20 August 1688. ½ *p.* *Endorsed.* Recd. 11 July 1689.

1,898. xxi. Extract from minutes of Council of Barbados. 2 October 1688. The Council had before it the information of William Kelly against John Wilson for using treasonable words. Ordered that Wilson enter into recognizances to appear and take his trial, and that the information, with the depositions in support of it, be sent to the Lords of Trade and Plantations. 2 *pp.* *Endorsed as the preceding.*

1,898. xxii. Examination of John Wilson. Testifying to an assault by William Kelly on his servant, and abusive language used by him to himself. 2½ *pp.* *Endorsed as the preceding.*

1,898. xxiii. Deposition of William Kelly. That he heard John Wilson say he hoped to see the confusion of all Papists, and Monmouth to reign King. ½ *p.* *Endorsed as the preceding.*

1,898. xxiv. Deposition of Thomas Ebourne. As to the assault committed on him by William Kelly. 1½ *pp.* *Endorsed as the preceding.*

1,898. xxv. Deposition of Michael Terrill. That William Kelly repeated to him the words alleged to have been spoken by Wilson. ½ *p.* *Endorsed as the preceding.*

1,898. xxvi. Deposition of Alexander Croighton. As to mad words and behaviour of William Kelly. ½ *p.* *Endorsed as the preceding.*

1,898. xxvii. Deposition of Daniel Helmes. In confirmation of the preceding. 1½ *pp.* *Endorsed as the preceding.*

1,898. xxviii. Deposition of Daniel Collahan. As to the assault committed by Kelly and his abusive language to Wilson. 1 *p.* *Endorsed as the preceding.*

1,898. xxix. Deposition of James Gamble. As to mad behaviour of William Kelly. 1 *p.* *Endorsed as the preceding.*

1,898. xxx. Deposition of Thomas Ccstillyon. As to the same. 1 *p.* *Endorsed as the preceding.*

1,898. xxxi. Declaration of Henry Quintyne. As to the same, and as to the confused charge which he brought against Wilson. 1½ *pp.* *Endorsed as the preceding.*

1,898. xxxii. Proclamation of the Deputy-Governor of Barbados appointing Sunday 16 September as a day of thanksgiving for the birth of the Prince of Wales. *Dated* 6

September 1688. 1½ *pp.* *Endorsed.* Recd. 10 July 1689. [*Col. Papers, Vol. LXIII., Nos.* 65, 65I.-XXXII., *and (letter and Nos.* I.-XII. *only), Col. Entry Bk., Vol. VIII., pp.* 33-63.]

Oct. 5. Bermuda. **1,899.** Henry Hordesnell to Lords of Trade and Plantations. I have, by searching a man from the wreck, recovered over thirteen pounds weight of treasure for the King. It was shipped on board Captain Robinson. I put the man on his oath, and found that he had secreted a thousand pieces-of-eight in the Bohemia [? Bahama] Islands. Considering the dangers of pirates and the loss on the cleaning of the money, which was rusty, I compounded for four hundred and fifteen pieces-of-eight, white money, which I hope will be approved. I have another man, one Samuel Harvey, in custody, who brought and entered five hundred pounds weight of silver before I came, but agreed to give the Governor thirty-four pounds, and divided the rest with his men. I recovered the tenths from him some time ago, but no more. He is an ill and refractory person, but he shall give security for the dues before I release him. *Signed,* H. Hordesnell. 1½ *pp.* *Endorsed.* Recd. 24 Dec. 88. [*Col. Papers, Vol. LXIII., No.* 66, *and Col. Entry Bk., Vol. XVIII., pp.* 196-198.]

Oct. 5. **1,900.** Minutes of Council of Maryland. Orders respecting the day of thanksgiving for the birth of the Prince of Wales. Letter from the Lords of Trade as to the passing of an Act in conjunction with Virginia for prohibiting the export of bulk tobacco. Letter from Lord Baltimore giving instructions for all effort to be used to pass such an Act. An Assembly ordered for 12 November.

Oct. 6. Letter from Lord Baltimore in favour of John Woodcock, an intending settler. *Memorandum.* On 9 October Mr. Layfield, the King's comptroller, asked for an extra officer to enter and clear ships. [*Col. Entry Bk., Vol. LIV., pp.* 186-190.]

Oct. 8. New York. **1,901.** Edward Randolph to Lords of Trade and Plantations. In April Sir Edmund Andros visited the forts and plantations all along the sea side, and on the great rivers from Piscataqua to Penobscot, eastward. He ordered the chiefs of the Indians in those parts to attend him, which they did, and bade them call back their young men, and not suffer them to run to the French, to live quietly with their English neighbours, and, if they were not able to defend themselves, to come and live in English towns. He left that country in great peace. On returning to Boston he received the King's commission annexing New York and the Jerseys to New England, wherefore he went to New York, accompanied by several of the Council, and arrived there on the 11th of September, being met by a regiment of foot and a troop of horse from that place. His commission having been read he received and cancelled in Council the seal of the late Government and issued a proclamation continuing the revenue and confirming all public officers in their posts. He then proceeded to the Jerseys, where he did the like. The people shewed great satisfaction at

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being under the King's immediate Government. On the 29th Colonel Dongan sent to the Council an account of £6,482 for money laid out in the late expedition to Albany, desiring it to be audited and passed, that the money might be paid to him to defray his necessary expenses. The Council resolved that they had no power to inspect his accounts, nor to appoint an auditor to do so, but as several officers and soldiers, since disbanded, had applied to Colonel Dongan for their pay, the Council asked him for an account of money due to them, undertaking to satisfy them speedily. Colonel Dongan, however, has not thought fit to comply, but to the last day of the Governor's stay in New York pressed for the accounts to be audited and passed.

On reading certain correspondence with Colonel Dongan it appeared that all was not well with the Five Nations, whereupon it was thought fit that the Governor should go to Albany. About fifty soldiers went with him, and guns and stores were embarked from the fort. The Governor and several of the Council embarked on the 30th August for Albany, where the chiefs of Five Nations were assembled to welcome him. They complained of many hardships, some by the French in time of peace, and prayed to be redressed. The Governor told them there was a cessation of arms, and that they must carry themselves friendly to the French; he bade them give up their French captives and promised to take care of them. They at once gave up a French child, ten months their prisoner, and promised to send the rest as soon as possible. Several Indians from both sides of the Hudson came to the Governor at Albany, and others at Kingston, higher up the river. Here Colonel Mason, a member of Council and a loyal gentleman, died and was buried. The Governor told the Indians to behave peaceably towards the Christians their neighbours, invited such of them as were married and gone elsewhere to return with their families and promised them land in convenient places if they required it. During this progress news came of the murder of five of the King's English subjects near Springfield, and soon after of six Christians murdered at Northfield by eleven Indians belonging to the French, and since the transmission of the Treaty of Neutrality to Colonel Dongan. The Governor has written to the Governor of Canada asking for the eleven murderers to be sent to him. On the day after the Governor arrived at New York from Albany he was advised that men were raised at Boston without his order and sent to Casco Bay, against Indians who had committed disorders in those parts. He therefore travels overland to Boston, intending to visit Northfield, Springfield, and other towns on the way, in order to prevent a second Indian war. *Signed*, Ed. Randolph. *Holograph.* 2½ *pp.* *Endorsed.* Recd. 24 Dec. 1688. *Printed in New York Documents III.*, 567-569. [*Col. Papers, Vol. LXIII., No.* 67, *and Col. Entry Bk., Vol. LXII., pp.* 37-39.]

Oct. 9. **1,902.** Minutes of Council and Assembly of Nevis. The Governor proposed an address of thanks to the King respecting the West India Company, and certain improvements in the fortifications. The address to the King. [*Col. Entry Bk., Vol. XLVIII., pp.* 180-183, *and pp.* 225, 226.]

Oct. 12. **1,903.** Petition of Colonel Hender Molesworth to the King. On my desiring to leave Jamaica on the arrival of the Duke of Albemarle, the Duke required that I should enter into recognizances of £100,000 before I could go, in order to answer the King's claims to treasure brought in from the wreck at Hispaniola. It was also made a condition that on arrival I should surrender myself to a Secretary of State, and remit a certificate from the King releasing the Duke from all claims for damages on account of that treasurer. Though the condition was hard, I submitted to it. While Governor I had, for want of orders for guidance, taken only a tenth of the treasure for the King, but this was seized by the Duke of Albemarle's orders. As your Majesty approves my discharge of my duties as Governor I beg release from my recognizance. 1 *p.* *Annexed,*

1,903. I. Copy of the bond given by Colonel Molesworth. 2 *pp.* *Endorsed.* Presented and read with his petition to the King and Council. 12 Oct. 1688. [*Col. Papers, Vol. LXIII., Nos.* 68, 68I.]

Oct. 12. **1,904.** Copy of the foregoing petition. *Endorsed.* Read in Council 12 Oct. 1688. [*Col. Papers, Vol. LXIII., No.* 69.]

Oct. 12. Whitehall. **1,905.** Order of the King in Council. That Colonel Hender Molesworth's bond be vacated, and that the conditions be cancelled, according to his petition. 2 *pp.* [*Col. Papers, Vol. LXIII., No.* 70.]

Oct. 12. **1,906.** Order of the King in Council. Referring the petition of Charles Sadler to Lords of Trade and Plantations for report. *Signed,* John Nicholas. *Annexed,*

1,906. I. Petition of Charles Sadler to the King and Lords of Trade. The Provost Marshal General appointed Mr. Smith Kelly his deputy, and in case of Kelly's death or absence, myself. The Duke of Albemarle removed Mr. Bernard from being Chief Justice of the island and put in Mr. Elletson in his place, at which time or just before, Kelly had levied or had in his hands to levy several executions, amounting to over £4,800, against Elletson, Colonel Needham one of his assistants, Captain Parnaby his father-in-law, John Elletson his cousin, and Mr. Waite; of whom Waite and Parnaby were actually in prison. Kelly was suspended, and Waite made Provost Marshal, who let Parnaby out of prison. I asked to succeed Kelly, according to my deputation, but the Duke, instead of allowing it, required security of myself in £500 and two sureties in £250 each to appear next Council-day, when he required of me further security in £1,000 and two sureties in £500 not to quit the island within twelve months without his leave. The Chief Justice, Waite, Parnaby, and others, well knowing that if I had been admitted Provost Marshal I should

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have done my duty and executed all the processes against them, prevented my admission to the office, and one Edward Moulder, a disorderly, encumbered man, swore that I had said that the Chief Justice and Sir Henry Morgan had razed or interlined a record of the Court. For using these words, which I never spoke, I was indicted; a bill was found by a grand jury returned by Waite; I was found guilty, and fined £300, for which same I am now a prisoner, and am likely to remain so. I am told that the indictment does not lie. I beg that the fine may be remitted, and the proceedings cancelled, and that I may be admitted to my office. *The whole*, 3 *pp.* [*Col. Papers, Vol. LXIII., Nos.* 71, 71I.]

Oct. 13. **1,907.** Minutes of Council of Maryland. Lord Baltimore's commission to Charles Carroll to be Attorney-General read. Order for the condemned negroes who were pardoned on receipt of the news of the birth of the Prince of Wales to be returned to their masters. Order for new commissions of the peace for Cecil's and St. Marie's Counties. [*Col. Entry Bk., Vol. LIV., pp.* 190-192.]

Oct. 13-23. Quebec. **1,908.** The Governor of Canada to Sir Edmund Andros. I have received your letters of 21 August, 8 and 29 September. In reply to the first I am glad to have you for my neighbour, and as regards the truce, as we are unable to agree as to the differences lately created by Mr. Dongan, I gladly refer the decision to our masters. So it is not for me to determine or agree whether the Five Nations are subjects of your master or mine, or of neither. You will have learned from my letters to Governor Dongan that the Iroquois had agreed to send me deputies from the Five Nations this summer, to ratify the peace, and, at the same time, agree to call a general assembly of all our Indians and their allies for the purpose of concluding a general and final peace. These deputies were to arrive soon enough to enable me to fix the place of rendezvous. I know that all the Iroquois were on the point of coming, but were prevented. It is true that you tell me that you will scrupulously observe the treaty of truce, and avoid every occasion of misunderstanding, and that you have bidden the Iroquois to observe the truce and give up their French prisoners; but knowing how you humour these savages you will not be surprised if I doubt their obedience to your orders unless they come themselves to assure me of it. You cannot therefore be astonished that, as I told Governor Dongan, I have given no orders to the remoter Indians to cease hostilities, for the Iroquois know well that they were pledged to come to me soon enough to enable messengers to be sent to Michillimackinac before the winter, to apprise the tribes of the rendezvous for the settlement of the general peace, and that I was not to move until they came and told me that the peace was accepted by all the Five Nations.

Such is the state of the case; but to show my good will and desire of a good understanding, I have sent to forbid all the tribes within reach to commit hostilities, and bid them think of nothing but their hunting. I would do more, but the season is

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far advanced, and your letters reached me too late for orders to be sent to the remoter tribes. Whatever my efforts no canoe could travel more than half way before the ice comes, but I shall send a canoe in the early spring, if I can be assured this winter that the Iroquois will consent to the general peace which is so necessary for the union of the two colonies, and for the progress of the Gospel. Still as I could not inform our allies now, I can not be answerable that they may not commit some hostile act during the winter. To avoid this the Iroquois should be careful not to wander too far while hunting, and to be on their guard until I can send word to our allies. The news that you give me in your letter of the 29th is very unpleasant; but what can I do, for all the rivers on the way will be frozen up within a fortnight? Believe me that I have the greatest respect for your king, and every desire to maintain good relations with you. You will believe that the accusations against me of giving orders to these Indians and of consenting to these murders are false. Mr. Wessells will have told you of my anxiety about two parties which had gone out against some raiding savages sent by Colonel Dongan. These parties had not returned when Mr. Wessels brought me the prisoners from Colonel Dongan. You know that I cannot doubt that these raiders were sent by Colonel Dongan. I have too many proofs, and the fact is too well known for you to be ignorant of it. The very ropes to bind their prisoners, as well as their arms, were supplied by him. As regards the Iroquois prisoners which I sent to France, I have promised the Iroquois that I shall ask them back, and you will readily believe that for your sake I shall do my best to obtain this favour from the King. I doubt not that you will do your best to recover the French prisoners from the Iroquois. I have been surprised at the violence shewn to M. St. Castine at Pentagouet. If there were any doubt as to the possession of that place I should have thought it were better referred to our masters. I hope you will give satisfaction to Mons. de Menevall, Governor of Acadia. A pirate, who took in men and provisions at Rhode Island, has lately plundered Chedabuctou and Canso in Acadia, took away a ship loaded with our goods, and sold them at Boston and elsewhere. I am sure you will give the necessary orders for justice to be done to us. Some rascally Frenchmen mutinied at the same time, robbed their masters, and took refuge in your territory. If ever such rogues come to me from your country I shall gladly restore them, and I hope you will do the like. To show my good will I have sent a canoe from Montreal to the Ottawas. *Signed*, Le M. de Denonville. *French.* 5½ *pp.* *Endorsed.* Recd. 15 Jan. 1688-9 from Sir E. Andros. *Printed in New York Documents (translation) III.*, 569-571. [*Col. Papers, Vol. LXIII.*, *No.* 72.]

Oct. 16. **1,909.** Order for the ship Richard, William Harris master, to be stopped for the king's despatches to New England. *Signed*, Rd. Wharton. *Scrap.* [*Col. Papers, Vol. LXIII.*, *No.* 73.]

Oct. 16.
Whitehall. **1,910.** The King to the Governor of Barbados. An invasion is preparing in Holland for the conquest of our Kingdom on

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some false pretences relating to liberty, property and religion. Though we have had notice of this for some time, we have always declined any foreign succours, preferring to rely on the loyalty of our subjects. We therefore call upon our subjects to unite for defence of us and of their native country. Though the design has been carried on with all possible secrecy, we are not unaware of it, and have made our preparations. All this you will announce to the Colony under your command, and you will take care that on the approach of any enemy the militia shall be ready to repel invasion, and that all trading vessels shall be warned lest they fall into the enemy's hands. *Countersigned*, Sunderland. [*Col. Entry Bk., Vol. C. p.* 34, *and Vol. VIII., pp.* 1-3.]

The same to the Governor of Jamaica. [*Col. Entry Bk., Vol. XXXII., pp.* 135-139.]

The same to the Governor of the Leeward Islands. [*Col. Entry Bk., Vol. XLVII., pp.* 385-387.]

The same to the Governor of Bermuda. [*Col. Entry Bk., Vol. XVIII., pp.* 183-188.]

The same to the Governor of New England. [*Col. Entry Bk., Vol. LXII., pp.* 27-29.]

The same to the Governor of Virginia. [*Col. Entry Bk., Vol. LXXXIII., pp.* 229-232.]

Oct. 16. **1,911.** Earl of Sunderland to Lord Howard of Effingham. You will prosecute the three pirates mentioned in your letter of August 19th (*see No.* 1867) according to law, at such time and in such manner as Sir Robert Holmes shall appoint. If Sir Robert give any assurance of the royal pardon before or after the trial you will discharge them. The goods taken from these pirates you will deliver to Sir Robert Holmes. *Signed*, Sunderland. *P.* [*Col. Entry Bk., Vol. LXXXIII., p.* 228.]

Oct. 17. **1,912.** Journal of Lords of Trade and Plantations. Draft of an order for discharging Colonel Molesworth from his bond of £100,000 read and approved.

Captain Nicholson's letter of 31 August read (*see No.* 1877).

Memorandum of documents sent and received. [*Col. Entry Bk., Vol. CIX., pp.* 183-188.]

Oct. 17. **1,913.** Minute of Lords of Trade and Plantations. Ordering the Attorney General to examine the petitions of Increase Mather and others (*see Nos.* 1860, 1878), compare them with the Commission and instructions to the Governor of New England and report. [*Col. Entry Bk., Vol. LXII., pp.* 76, 77.]

Oct. 18. **1,914.** Minutes of Council of Virginia. John Armestead sworn of the Council. The Governor reported that he had removed Major Charles Scarburgh from the commission of the peace for saying that the King would wear out the Church of England. Ordered that Major Scarburgh appear before the Council to answer for his words. Order cancelling the alterations made on 26 April, 1686, in the Courts of Rappahannock and New Kent. Order that keepers of ferries shall transport messengers sent on the King's service free of charge. [*Col. Entry Bk., Vol. LXXXIV., pp.* 301-307.]

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Oct. 19.
Boston.

1,915. Edward Randolph to John Povey of the Plantation Office, Whitehall. Hearing how furiously Mr. Mather and his friends now at Whitehall drive on, sparing none in this government, I send you such papers as I have by me by which you may see the qualities and especially the loyalty of the men. No. 1 is a copy of Mr. Rosse's letter to me enclosing No. 2, being a copy of Mather's letter to a minister at Amsterdam. Mather has done all he can to fix the authorship of that paper on me, and besides his public discourses against me in all companies here he thinks he has sufficiently proved it and vindicated himself by his letter to Mr. Dudley, No. 3, which is full of his Christian frame and temper and abounds as much in charitable expressions as does his other letter in loyalty. Now though he has thus with his "Bellarmine, thou liest," made me to be the author of that libellous paper, yet I can shew the contrary by several passages therein. The King's desiring their charter was, they say, like Ahab's requiring Naboth's vineyard. These were the very words spoken publicly by him in a full assembly at the town house in Boston, when all the freemen were met to advise about a surrender of the charter. I have a crowd of witnesses to prove it, and Mr. Wharton, then of another kidney, was present, and left the meeting in a great heat on hearing such expressions. If any spark of honesty rests in a man who opposes all government he cannot deny that he was present and heard Mather make that discourse. I send you Nos. 4 and 5, copies of two of Mather's letters to Amsterdam, the originals being with me, to prove his correspondence with persons of whom I knew nothing till I had a copy of the former letter. As a further confirmation of Mather's antimonarchical principles I refer you to the book called "The Case of the Massachusetts Charter," written by Mather and Moody, a copy of which I shall shortly transmit to you. I should ask for no greater favour than to be admitted to discuss the malicious principles of the party who now cry out oppression, whereas by all their laws and practices there never yet was a people heard of so tyrannical and arbitrary. The King upon the repeated complaints of his persecuted subjects of imprisoning, whipping, banishments and amercements has remedied this by a new Commission of Government and by taking the country into his own immediate protection. And now that the Sanhedrim is put out of its magisterial regiment of affairs, both civil, ecclesiastical and military, they are uneasy. As to Mr. Nowell, I refer you to his printed sermon called Abraham in Arms. If those men's principles are the least demonstration of loyalty, I desire to be accounted still a dissenter. From such good Lord deliver us. *Signed*, Ed. Randolph. 2 *pp.* *Endorsed.* Recd. 1 Dec., 1688. *Enclosed,*

1,915. I. Copy of a brief note from George Ross to Edward Randolph transmitting a letter that fell accidentally into his hands at Amsterdam. *Dated*, June 6. *Scrap. Endorsed. No.* 1.

1,915. II. Increase Mather to Mr. English at Amsterdam. Boston, 3 December, 1683. Thank you for your letter telling me how you and your friends have been wrongfully abused in England. I am glad that Mr. Ferguson has gone to your side of the water where their malice cannot reach him. We have heard of the great suffering of the servants of the Lord. You say the intention is to root out the Word of God from among us, but the righteous shall see this and fear and shall laugh them to scorn. I am well assured of the happiness of that good friend to God's cause, Lord Shaftesbury, of whose death you wrote to me. If they could they would certainly have cut him off, for they can now move the law as they please. "Corrupt are they, etc." Never was any age so far gone in laboring after their own lusts and pleasures, from the King that sitteth on the throne to the beggar. It was a great grief to me to hear the death of that good Lord Russell, and the barbarous murder of Lord Essex in the Tower. We see with half an eye which way they intend to drive poor England. Pray send me the following books:—The New Covenant of Scotland, Caryll on Job, and Mr. Owen's last works, with some of the Geneva prints, "that I may collect of all to sweeten the milk to the palate of these good Christians." I am glad to hear that the Lord hath raised a defender for his people in Hungary, and I am certainly of opinion that the Lord's work will be done by those heathens and the whole of Babylon shall fall.

As to affairs here, Randolph arrived in the same week as our agents with a summons against our charter. Next day the richest part of the town was burnt by a sad fire, as we believe by his means. He left the town a day or two later, or he would certainly have perished at the hands of some of the tumultuous sufferers. A general Court has been sitting for the last fortnight. The Governor and several of our magistrates, not regarding their oath, have voted to surrender the charter; but the men who fear God are for keeping our privileges, which is my opinion also; for why should we surrender them as Naboth's vineyard to Ahab? I hope we shall be able to maintain them by action at law, for in England money will do much. Randolph has been a mortal enemy to our country, and most people say that it would never have come to this but for him. It has cost us a deal of money, but we have good friends in England who will contribute. God will certain avenge the blood of his saints. *Here follows a rhapsody of Scriptural texts.* $3\frac{1}{2}$ *pp. Endorsed. No.* 2. Recd. from Mr. Randolph, 1 Dec., 1688.

1,915. III. Increase Mather to Joseph Dudley. Boston, 10 Nov., 1684. Thank you for a sight of a forged letter of mine of pretended date, 3 December, 1683. It represents me as friendly towards Lord Shaftesbury, which I never was, and the expressions as to Lord Russell are also forgeries. So also as to the books, I have Caryll on Job, and can buy Dr. Owen's works in Boston, so why should I send to

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Amsterdam for them? The statements about Hungary are equally absurd. The forgery is easily proved by several passages. I believe Randolph himself forged the letter. There is so much about him in it as to make me suspect him to be the author, and he is said to have a notable art in imitating hands. It is good that all mankind should be convinced that he is a knave. But I am not the first Nonconformist minister who has suffered this. 3 *pp.* *Endorsed.* *No.* 3. Recd. from Mr. Randolph, 1 Dec., 1688.

1,915. IV. Increase Mather to Thomas Gouge at Amsterdam. Boston, Nov. 21, 1683. We are threatened with the loss of our Charter and all our privileges; the coining of money and keeping but fourteen instead of twenty magistrates are the pretext. 1 *pp.* *Endorsed.* *Nos.* 4, 5. Recd. from Mr. Randolph, 1 Dec., 1688.

1,915. V. The same to Abraham Kirk. Nov. 20, 1683. Asking him to send some books. 1 *p.* *Endorsed as the preceding.* [*Col. Papers, Vol. LXIII., Nos.* 73, 73I.-V.]

Oct. 19. **1,916.** Minutes of Council of Maryland. On the complaint of the chief of the Nanticokes of ill-treatment of Indians by English, orders were sent to the Commissioners of Dorchester county to put a stop to such proceedings.

Col. Edward Pye sworn a Deputy-Governor. [*Col. Entry Bk., Vol. LIV., pp.* 192, 193.]

Oct. 20. Boston. **1,917.** Proclamation of Sir Edmund Andros. Commanding all of the King's subjects lately taken by Indians to be released, and all Indians concerned in the murder of any to surrender. *Printed sheet.* 1 *p.* *Endorsed.* Recd. 15 Jan., 1688-9.

Duplicate of the foregoing. [*Col. Papers, Vol. LXIII., Nos.* 74, 75.]

Oct. 22. Bermuda. **1,918.** Governor Sir Robert Robinson to Lords of Trade and Plantations. I enclose an account of the King's Lands, how they are raised and what the King's officers have allowed to them. I beg instructions as to the Glebe and Crown-lands. The memorial from Francis Burghill mentioned in your letter was not enclosed. The King's slaves are difficult to get at, their pretended masters standing stiffly by the law. Perhaps the late Company could give you an account of them. An Act has been passed that all free negroes shall depart this country in six months or become the King's slaves. The time is long expired, but the people evade their own Act. I have sent a warrant to bring in thirty of these slaves, who are worth twenty pounds a head. As to the slaves allowed to me, the inclosed shows their number, but we have not half of them. I have been for several months at death's door, and am scarcely recovered. Pray put a favourable construction on this brief account. *Signed,* Robt. Robinson. 1 *p.* *Enclosed,*

1,918. I. Rents of the King's lands in Bermuda. Total, £143 0*s.* 0*d.* Slaves allowed to the King's officers, 52, of which

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24 to the Governor. *Large sheet.* [*Col. Papers, Vol. LXIII., Nos.* 76, 76I., *and Col. Entry Bk., Vol. XVIII., p.* 284.]

Oct. 22. **1,919.** Address of the inhabitants of the hundreds of St. Clements and Choptico in St. Mary's county, Maryland, to the King, congratulating him on the birth of the Prince of Wales. "We have at this distance to our greatest comfort and felicity beheld and admired your Majesty like the sun in the firmament, not only dispersing all malicious and threatening clouds of disloyalty, but also making us and our posterity happy by the prolific virtues." 1 *p. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 77.]

[Oct.] **1,920.** Petition of Sir Robert Robinson to the King. For recall, owing to his continuous sickness. 1 *p. Inscribed.* Recd. Oct., 1688. [*Col. Papers, Vol. LXIII., No.* 78.]

[Oct. 26.] **1,921.** Petition of Richard Cony to the King. When Governor of Bermuda I made many enemies by endeavouring to carry out the royal instructions as to slaves, Crown lands and revenues, and suffered many affronts. I am quite undone and impoverished by the employment, and beg your commission to succeed Sir Robert Robinson as Governor of Bermuda. 1 *p. Annexed,*

1,921. I. Certificate of five principal traders to Bermuda that Governor Cony was diligent in advancing the King's revenues and collecting his debts; on a request that he may be sent back as Governor. 16 October, 1688. [*Col. Papers, Vol. LXIII., Nos.* 79, 79I.]

[Oct. 26.] **1,922.** Duplicate of the foregoing. *Endorsed.* Read in Council 26 October, 1688. *Col. Papers, Vol. LXIII., Nos.* 80, 80I.]

Oct. 26. Whitehall. **1,923.** Order of the King in Council. That as Sir Robert Robinson is anxious to return to England, Richard Cony be appointed to succeed him as Governor of Bermuda, and that his commission and instructions be prepared accordingly. *Signed,* John Nicholas. 1 *p. Endorsed.* Recd. 30 Oct., 1688. [*Col. Papers, Vol. LXIII., No.* 81.]

Oct. 30. **1,924.** Minutes of Council of Barbados. On the request of the Assembly Benjamin Skutt was joined to two members of Assembly to inspect the cage in St. Michael's appointed to keep runaway negroes in. The Lieutenant-Governor reported that he had inspected the fortifications and found them in excellent order. [*Col. Entry Bk., Vol. XII., pp.* 100, 101.]

Nov. 1. **1,925.** Minutes of Council and Assembly of Nevis. The King's letter approving the present given to Sir Nathaniel Johnson read. [*Col. Entry Bk., Vol. XLVIII., p.* 184, *and pp.* 226, 227.]

Nov. 3. New York. **1,926.** Valuation of a pinnace, sworn before Stephen Cortlandt, Mayor of New York. 1½ *pp.* [*Col. Papers., Vol. LXIII., No.* 82.]

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Nov. 6.
Jamaica.

1,927. George Reid to [Father Churchill]. Reverend father, my text of 7th instant gave you news of the Duke's death, and that Sir Francis Watson, first councillor, succeeded him. Major Knight is on his way home to give you all the news. You will learn how we have been used by the factors; it is a wonder that a planter can thrive now. It is generally wished here that Mr. Constable may come Governor, and Sir Francis Watson Deputy-Governor. If any come that are not affected to the proceedings of the Assembly, we who forwarded the King's and country's interest by perpetuating the revenue may stand clear. I am afraid that my request to be made factor may suffer from want of a modest and humble petition, so I give you an account of my qualifications, and I have written them to Mr. Constable. The Duchess is doing her best to hasten her departure. *Copy.* 1½ *pp.* [*Col. Papers, Vol. LXIII., No.* 83.]

Nov. 7.
Bermuda.

1,928. Henry Hordesnell to Lords of Trade and Plantations. The Governor is about to sell the new sails and cables which he took out of the surrendered pirates' ship. I sent on purpose to secure them, but my clerk could not find them. He has since shipped them, with two excellent brass guns, to Barbados to be sold. I asked Colonel Stede to stop the sale till the King's pleasure were known. Sir Robert doubtless resolves to fill his bags as fast as he can and send home some more, privately. *Signed,* H. Hordesnell. 1 *p. Endorsed.* Recd. 22 Jan., 1688-9. [*Col. Papers, Vol. LXIII., No.* 84, *and Col. Entry Bk., Vol. XVIII., pp.* 199-200.]

Nov. 12. **1,929.** Minutes of Council of Maryland. Assembly prorogued until to-morrow, not sufficient members having appeared.

Nov. 13. The Assembly again prorogued.

Nov. 14. Colonel Thomas Tailler not appearing in the Upper House, a writ was issued to summon him.

Nov. 15. Order for a boat to be pressed to carry despatches to Virginia. Letter from the Council to Lord Howard of Effingham concerning the despatches. [*Col. Entry Bk., Vol. LIV., pp.* 193, 194.]

Nov. 15. **1,930.** Survey of arm, and stores of war, of the fortifications about New York. *Signed,* Fr. Nicholson, S. Cortlandt, Nicho. Bayard, Ma. Plowman, Wm. Beakman, Gab. Minveile. 19 *pp. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 85.]

Nov. 16.
St. Jago
de la Vega.

1,931. Sir Francis Watson to William Blathwayt. I called a Council to-day at which the Chief Justice acquainted me of Colonel Walker's proceedings to him when he was executing his Commission of *Oyer* and *Terminer.* After hearing what Walker had to say I and the Council resolved to suspend him from all his offices until the King's pleasure should be known. A petition from Mr. Lynch, Sir R. Holmes's commissary here, was also received, asking for assistance in seizing a ship called the Seahorse for trading with privateers. Though not satisfied with the evidence put forward, yet on his assurance that he could produce more, we ordered Captain Spragg forthwith to attempt to seize the

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ship. If this method be pursued all trading merchants will be ruined. Mr. Lynch said that if the ship were seized he would detain her till the King's pleasure were known, which means nine months. I have appointed George Reid to the Council. *Signed*, F. Watson. 1½ *pp.* *Endorsed.* Recd. 21 Feb., 1688-9. [*Col. Papers, Vol. LXIII., No.* 86, *and Col. Entry Bk., Vol. XXXII., pp.* 174-177.]

Nov. 16. **1,932.** Minutes of Council of Jamaica. On the intercession of the Duchess of Albemarle, the fines set on certain rioters were remitted. Order for discharge of Charles Sadler from prison on giving security to pay his fine. The Chief Justice informed the Lieutenant-Governor that at the Commission of Oyer and Terminer held on 2nd inst. at Port Royal only one Justice of the Peace appeared, namely, Colonel Walker, who used most disrespectful language to himself. It was voted that this language was an affront to the King, and that Colonel Walker be suspended from the Council for the same. George Reid sworn of the Council. Order for certain officers to take charge of the ports and magazines. Coxon, the pirate, gave security for good behaviour. [*Col. Entry Bk., Vol. XXXVI., pp.* 243-245.]

Nov. 19. **1,933.** Minutes of Council of Jamaica. Warrant for the admission of Colonel Needham to the Council read, also a letter from the victualling office respecting a warehouse for the King's provisions. [*Col. Entry Bk., Vol. XXXVI., pp.* 245, 245a.]

Nov. 17. **1,934.** Minutes of Council and Assembly of Nevis. The Address to the King read, which was signed by neither Council nor Assembly, the Council alleging that they had not their due priority in the columns. [*Col. Entry Bk., Vol. XLVIII., pp.* 184, 185, *and p.* 228.]

Nov. 20. **1,935.** Minutes of Council and Assembly of Nevis. The Governor proposed an address to the King, asking pardon for not paying the soldiers of St. Christopher's according to his order, and for the gift to Sir James Russell. The Assembly replied that they did not know they had transgressed, so saw no reason to ask pardon. Order for sending a message to Antigua about a former address. Orders for repair of fortifications owing to rumours of a Dutch invasion of England, and for repair of the gaol. Proposed that the boundaries of every parish be laid out. [*Col. Entry Bk., Vol. XLVIII., pp.* 185-190, *and pp.* 228-230.]

Nov. 26. **1,936.** Minutes of Council of Jamaica. Petition of Colonel Ivy and others asking for extension of time for payment of their fines. An extension of three months granted. Letter from Captain Spragge that a piratical vessel, the Seahorse, which he had been sent to bring in, had escaped in spite of all his pains. Charles Sadler presented a deputation to be Provost Marshal, which was not allowed, the question having been submitted to the King by the Duke of Albemarle. Order for calling the Assembly on December 14th. The question of a warehouse for the King's stores considered. On the King's letter of June 1st, it was thought fit that Colonel Molesworth's recognisance should not be given up. Order for gratuities to the Clerks of Council and Assembly for the extraordinary work done in the Duke of Albemarle's time. [*Col. Entry Bk., Vol. XXXVI., pp.* 246-247A.]

Nov. 28. **1,937.** Minutes of Council of Barbados. Order for sundry payments and for rebate of duties. [*Col. Entry Bk., Vol. XII., pp.* 102, 103.]

Nov. 28. **1,938.** Minutes of Council and Assembly of Nevis. Michael Smith and William Tyacke sworn of the Council. Letter from the Governor in Chief read as to the general address of congratulation to the King; to the effect that there was no fixed precedence of the Islands, and that he therefore construed their unwillingness to sign rather as a proof of disloyalty. Copy of the address. Letter from the Council and Assembly to the Governor in Chief stating why they were unwilling that Nevis should come after Antigua and St. Kitts. Letter to the King as to the payment of the fort companies. [*Col. Entry Bk., Vol. XLVIII., pp.* 190-201.]

Nov. 29. **1,939.** Minutes of Council of Jamaica. Mr. Lynch was asked of what officers he complained to the King that they had obstructed him. He answered, the Chief Justice for signing warrants of arrest against him. The Chief Justice said and proved that this was always the practice. Being asked if he accused others, Mr. Lynch said that he did not feel bound to give the Lieutenant-Governor any account of it. Naval business. Order for a gratuity of £50 to William Chapman, a Clerk of Council. [*Col. Entry Bk., Vol. XXXVI., pp.* 247A, 248A.]

Nov. 30. Whitehall. **1,940.** The King to Deputy-Governor Sir Francis Watson. Having heard of the Duke of Albemarle's death, we have ordered Lieutenant-Governor Molesworth to repair to Jamaica and assume the Government. We intend to restore all things relating to the Government to the state in which they were on the Duke's arrival. We hear that the Assembly continues its Sessions since his death without legal authority, and we hereby declare all their acts and proceedings since his death to be null and void; nor shall any new Assembly be summoned until Lieutenant-Governor Molesworth or a new Governor arrive. You will pursue the methods of administration that were followed by Sir Thomas Lynch, and no fines or forfeitures shall be levied until Lieutenant-Governor Molesworth's arrival. [*Col. Entry Bk., Vol. XXXII., pp.* 144-146.]

Nov. **1,941.** Petition of planters and merchants trading to Jamaica to the King. The once flourishing Island of Jamaica is likely to be utterly undone by the irregularities of some needy persons lately set in power. Many of the most considerable inhabitants are deserting it, others are under severe fines and imprisonment from little or no cause. The declaration in the Court of Justice against importation of money has greatly discouraged the Spanish trade. The Provost Marshal has been dismissed and an indebted person put in his place; and all the most substantial officers, civil and military, have been turned out and necessitous persons set up in their room. The like has been done in the judicial offices, whereby

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the benefit of appeals and prohibitions is rendered useless. Councillors are suspended without royal order and without a hearing. Several persons have been forced to give great security not to leave the Island lest they should seek redress; others have been brought before the Council for trifling offences, and unreasonable fees taken from them; money has been raised twenty per cent. over its value to defend creditors. Lastly the elections have been tampered with by the indebted Provost Marshal, and since the Duke of Albemarle's death are continued without your royal authority. We beg that this state of things may be amended. 1 *p.* *Endorsed.* Nov., 1688. [*Col. Papers, Vol. LXIII., No.* 87.]

Dec. 1. **1,942.** Minutes of Council of Maryland. The pretended King or heir of the late King of the Choptico Indians desired admittance, and being come presented eleven dressed deer-skins as tribute to Lord Baltimore. He then complained of extortion on the part of two Englishmen, and that the English brought drink to his village, which he desired might be stopped. The complaints referred to Clement Hill, Esq. [*Col. Entry Bk., Vol. LIV., p.* 195.]

Dec. 1. Whitehall. **1,943.** The King to the President and Council of Jamaica. You will remove Roger Elletson, Sir Richard Dereham and Thomas Waite from all places of trust within the Island, and restore Samuel Bernard to the place of Chief Justice, Simon Musgrave to the place of Attorney General, and Smith Kelly to the place of Provost Marshal. You will also restore John White and John Bourden to the Council. *Countersigned,* Middleton. [*Col. Entry Bk., Vol. XXXII., p.* 145.]

Dec. 4. **1,944.** The Clerk of Council of Nevis to Lords of Trade and Plantations. Forwarding copies of orders of Council. *Signed,* Tho. Fenton. 1 *p.* *Endorsed.* Recd. 6 Feb., 1688-9. [*Col. Papers, Vol. LXIII., No.* 88.]

Dec. 4. **1,945.** Minutes of Council of Jamaica. The Assembly attended, and being ordered to choose a speaker, choose John Peeke, who was approved. Naval business. Order for payment for medical attendance to sick and wounded seamen. A petition of £50 granted to Anthony Bowes, a clerk of Council. Report of the Commissioners appointed to choose a site for a Naval storehouse.

Dec. 5. Message of the Assembly asking for three new writs, three of their members having been called to Council, and also for leave to adjourn. Naval business.

Dec. 6. Letter from the Duchess of Albemarle, thanking the Council for the bill passed in her favour. The Lieutenant-Governor communicated it to the Assembly, and prorogued them to 15 January. Naval business. Letter from Mr. Lynch to the Lieutenant-Governor asking for the assistance of the Provost Marshal in arresting pirates who have not surrendered. Consideration thereof postponed. [*Col. Entry Bk., Vol. XXXVI., pp.* 249-252A.]

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Dec. 6. St. Jago de la Vega. **1,946.** Memorial of Stephen Lynch to Deputy-Governor Sir Francis Watson. Calling upon him in no very respectful terms to give him the assistance of the civil power in arresting pirates. *Copy, in the handwriting of George Reid.* [*Col. Papers, Vol. LXIII. No.* 89.]

Dec. 7. Jamaica. **1,947.** George Reid to [Lord ?]. Recapitulates a letter of November 7 to same effect as No 1927 and proceeds. The Government has been much maligned by a discontented party since the Duke of Albemarle's first arrival, which has opened false and malicious reports. We have just received news of the King's declaration that no Catholic shall be a member of the House of Commons. This will silence the fanatics. There is much talk here of an invasion from Holland, but the present loyal Governor neither dreads nor credits such an improbability, though he takes every precaution. In my last to Father Churchill I sent a petition for the place of factor to the Royal African Company. *Signed,* George Reid. 2½ *pp. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 90.]

Dec. 10. **1,948.** Minutes of Council of Jamaica. The Royal proclamation of 28 September as to the invasion of England was read. Ordered that no more provisions be allowed to pass to the Dutch ships in the harbour. Order for the Provost Marshal to help Mr. Lynch in arresting pirates. Captain Spragge was called in, and in answer to complaints against him of cruel treatment, said that the complainants were pirates or friends of pirates.

Dec. 11. Mr. Magragh moved that the Dutch ships outside the harbour should be brought in and anchored within range of the forts. Evidence having been given as to one such ship that she had traded illegally, orders were given to seize her. Order for publication of the King's proclamation.

Dec. 12. The Governor announced that he had heard from Mr. Lynch asking for a general order for discharge of all persons imprisoned as pirates, who should be thought worthy of the King's pardon. Resolved that Mr. Lynch say at any time what persons he will have discharged, when the Governor will give effect to it. Order for every colonel to put his regiment in order, and exercise at least once a month. Order that, the Dutch ships having been brought into harbour, the vessel suspected of illegal trading be at once secured.

Dec. 13. Doctor Longworth, rector of Port Royal, complained of his clerk for refractory conduct. Ordered that he send in depositions in proof of his complaint. Evidence against the Dutch ship being forthcoming, it was ordered that she be searched and an inventory made of her cargo. [*Col. Entry Bk., Vol. XXXVI., pp.* 252A-256A.]

Dec. 11. **1,949.** Minutes of Council of Barbados. Order for payment of compensation to Richard Salter for a negro executed, and for the purchase money of two brass guns to Mr. Richard Ashforth. [*Col. Entry Bk., Vol. XII., pp.* 104, 105.]

1688.

Dec. 13. **1,950.** Minutes of Council of Virginia. Order for a public thanksgiving on the birth of the Prince of Wales. [*Col. Entry Bk., Vol. LXXXIV., p.* 307.]

Dec. 14. Jamaica. **1,951.** George Reid to Father Churchill. We hear that Colonel Molesworth has got the African Company to petition against raising the value of pieces-of-eight, but it is notorious that the Company loses nothing by it; and if their value is lowered, planting here is ruined. *Here follow long details as to the Assiento and its factors.* Sir Robert Holmes's deputy makes things mighty uneasy, for being the King's privy seal he is quite independent of authority. Colonel Walker was lately suspended for an affront to the King in the person of his Chief Justice. The Governor has taken me into the Council and given me command of the regiment that Sir Henry Morgan had. Please do your best to forward my petition to the King. The warlike preparations make the Duchess irresolute about returning. *Signed*, George Reid. *Four closely written pages.* [*Col. Papers, Vol. LXIII., No.* 91.]

Dec. 18. **1,952.** Minutes of Council of Jamaica. The Dutch ship being secured, the draft of a special commission for trying her was approved. Captain Peter Daniel apologised before the Council for scandalous words used of Colonel Ryves, a councillor. [*Col. Entry Bk., Vol. XXXVI., p.* 257.]

Dec. 18. **1,953.** Minutes of Council of Barbados. Order for payment of the gunner of Denmark fort. The Assembly brought up bills to encourage the inhabitants to become owners of trading vessels, and for an impost on liquors. The former was reserved for consideration, the latter was sent back to the Assembly, being passed by it only for six months' time. The Lieutenant-Governor called the attention of the Assembly to the expiration of the Act to encourage bringing Christian servants, and delivered them three Bills, for securing possession of negroes, to regulate outcries, and to prevent depopulation of the island.

Dec. 19. The Bills brought up by the Assembly yesterday were passed. Order forbidding the boarding of vessels, except to duly qualified persons. [*Col. Entry Bk., Vol. XII., pp.* 105-109.]

Dec. 22. **1,954.** Minutes of Council of Jamaica. The Governor acquainted William Chapman, a Clerk of Council, that the Duke of Albemarle had for his great dignity three clerks of Council sworn, but that as but one was necessary, he was now discharged. Order for disposal of the Dutch ship and cargo, which had been condemned. [*Col. Entry Bk., Vol. XXXVI., pp.* 257-258.]

Dec. 31. Rosegill. **1,955.** Instructions of Lord Howard of Effingham to Captain Thomas Perry, H.M.S. Deptford. For the enforcement of the Acts of Trade and Navigation, and the prevention of smuggling and illicit traffic, especially with Newfoundland. *Copy.* 3 *pp.* [*Col. Papers, Vol. LXIII., No.* 92.]

1688.
Dec. 31. **1,956.** Minutes of Council of Maryland. A request of Dudley and Edward Carleton, merchants of London, for a special court for the trial of their difference with the executors of Basil Waring granted. The members of the Court nominated. [*Col. Entry Bk., Vol. LIV., pp.* 195, 196.]

1,957. Abstract of the letters and depositions transmitted by the Duke of Albemarle, touching the Biscayers in the West Indies (*see Nos.* 1,705, 1,733), and of petitions from English prisoners at Los Angelos and Carthagena. 6 *pp. Endorsed.* [*Col. Papers, Vol. LXIII., No.* 93.]

1,958. A shorter abstract of the same subject. 2 *pp.* [*Col. Papers, Vol. LXIII., No.* 94.]

1,959. The King to the Duke of Albemarle. Warrant authorising him to suppress the Biscayans, who prey upon British trade, with the King's ships. *Undated.* [*Col. Entry Bk., Vol. XXXII., p.* 127.]

1,960. The case of Smith Kelly, deputy Provost Marshal of Jamaica. A long statement of his dismissal from his office, and the misdeeds of Chief Justice Elletson. *Two large sheets.* [*Col. Papers, Vol. LXIII., No.* 95.]

1,961. List of injuries received by English from Spaniards. A short table of grievances of different kinds, from 1680 to 1687. 1½ *pp.* [*Col. Papers, Vol. LXIII., No.* 96.]

[1688 ?] **1,962.** ? to Seth Sothell. Your coming to this part of the province encourages us to address you. Our loyalty has kept us patient for many years, under miserable disquietudes and uncertainties, but your presence bids us tell you of them. Our story must needs be long, but we beg you to submit it to the Lords Proprietors. In 1669 the proprietors, by several gracious concessions, encouraged settlers to come to Carolina, and appointed Colonel William Saile Governor, with certain councillors, and drew up certain fundamental constitutions, dated 21 July 1669, as the unalterable form of government for the country. All persons were required to swear to these fundamental institutions before they could take up lands or be admitted to either House of Parliament. To our amazement, we have seen a letter read in Parliament on 14 February 1685, of date 3 March 1687, signed by the proprietors, which utterly denies these constitutions of 1669, so solemnly drawn up. Two of the proprietors, Lord Bath and the Duke of Albemarle, were not concerned with Carolina when the original constitutions were passed. Lord Craven is otherwise employed near the throne, so it is possible that the proprietors do not remember them. In 1671 came out fresh instructions, pointing, apparently, to some fundamental constitutions as yet unseen, and in 1673 Governor Joseph West proposed to the Council, in the name of the proprietors, a new set of constitutions, dated 1 March 1670, for ratification. In 1677 these same constitutions were again submitted to the Council, but were rejected, as all people had sworn to the constitutions of 1669, which, as the proprietors themselves

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acknowledged, were the terms on which the settlers came to the country. The constitutions of 1 March 1670 were not sent here until February 1673; and the letter of the proprietors that accompanied them shews that they disowned the constitutions of 1669; and there is abundant evidence to show that the proprietors direct the government to be carried on according to the new constitutions.

In 1682 the proprietors sent out another set of fundamental constitutions, dated 12 July 1681, to be henceforth the unalterable form of government, with a letter explaining why these were not issued before; and though they said they did not pretend to alter the fundamental constitutions without consent of the people, yet their instructions limited all civil privileges to those who subscribed to them. The people, remembering their oath to the constitutions of 1669, refused to receive them. We then hear a little later of another fundamental constitution, dated 17 August 1682, to be subscribed to like the rest, but no reason was given for the alteration, except that it was made at the request of the Scots and other considerable persons. Then on 13 September 1683 the proprietors revoked the Governor's power to ratify the constitutions of 1682 in Parliament, nominally to please the Scots, but in reality (as one of the Lords wrote to Sir Richard Kyrle) because the proprietors wished the people to petition for that which certain seditious men had persuaded them to reject. Then came new instructions, dated 12 March 1685, repealing all former instructions, and ordering the third set of fundamental constitutions to be subscribed and practised as unalterable. The Commons protested against this in December 1685, and against all Constitutions but those of 1669. On the 19th November 1685, Parliament, consisting of eight deputies of the proprietors and twenty commoners, met at Charlestown, and twelve of the commoners refused to subscribe to the constitutions of 1682, and were ordered by Governor Joseph Moreton to leave the House. The seven remaining commoners and the deputies then proceeded to enact several laws, against which the excluded members protested. While Mr. Colleton was Governor, a Committee of Parliament was appointed to inspect the fundamental constitutions and suggest alterations; but the work was laid aside in another Parliament, for on the 14th of February 1688 Governor Colleton, in some passion, produced the proprietors' letter of 3 March 1687, and caused it to be read and recorded. Since that the Governor and deputies refuse to act according to the constitutions of 1669, to which the people adhere, and as the Governor insisted that all bills should first pass the Grand Council, nothing was done, and there is at present not a statute law in force in the Colony. On the dissolution of Parliament, some people, mostly ignorant, were moved to petition the Government for martial law, and on 18 March last the Palatine's Court, without advising with the Commissioners of the Grand Council, published certain articles of war, though at the same time keeping open the courts of common law. The Commons earnestly pressed for reasons for such an unusual method of government among a peaceful people, but being refused, they fell back on a protest. The Council was then shifted, lest the protest should be lodged there, and the Secretary also declined to file it. Discontent and disturbance followed, and the ferment would have been serious but for your arrival. It was, of course, asserted that martial law was necessary, because the Commons declined to make laws for the government of the militia and the defence of the country, but it can be proved that the Commons did no such thing, but the contrary. The Governor took advantage of this arbitrary law to take all the Indian trade to himself.

The methods used by the authorities commissioned by the proprietors for the imposition of these fundamental constitutions have been so tyrannical as to cause great uneasiness, and keep many from the country. The Lords Proprietors frequently dwell severely on the misdeeds of Indian dealers, but great endeavours have been made before and since their lordships' letters were written to monopolise the Indian trade. Governor James Colleton has been a principal offender. In 1686 again the Spaniards from St. Augustine invaded us, did great destruction, burned one of our people alive, and carried off several more. The whole county resolved upon vengeance, but the late Governor here forbade it, and when a new Governor at St. Augustine sent envoys here to treat about all differences, Governor Colleton did not consult the Commons of the Council, but passed by all the bloody insolencies of the Spaniards, and made a contract for trade with one of the envoys. We do not think the murder of Englishmen and destruction of their property should all be buried for the sake of filthy lucre. The Spanish Governor has never sent back the runaway slaves from hence, and I believe that the Governor and Council have written to the proprietors at large about it. The lesser officers, civil and military, have been put out and in in a most arbitrary fashion, and commoners turned out of the Grand Council for the least unwary word said out of Council. It is easily done, for there are only eight commoners, and as the accused commoner cannot vote, the eight deputies can always carry it against the remaining seven commoners. Several gentlemen have been excluded from all office, unknown to the Lords Proprietors, without any charge being brought against them, and where a charge has been imputed, they have always been ready to clear themselves. A commission was sent to examine witnesses as to some malpractice, but it was addressed to the most guilty parties, who falsified the evidence to their liking. We impute no fault to the Lords Proprietors, who sent the commission, for we believe them to have been ignorant of the matter, nor do they hear of such things except from their private correspondents. Most of the gentlemen, however, do not know the proprietors, and are afraid to write, because they differ in opinion from them in matters of fundamental constitutions, etc., and when they have spoken their minds they have been checked. Letters from the Council have not been believed, or have been misrepresented.

The change of land-grants by patent to grants by indenture has driven away people from the Colony and kept many more from coming to it. Yet the first fundamental constitutions provided for patents. It is not for us to say how the proprietors shall dispose of their own lands, but in a country where there is no mint, surely people may pay their rents in kind, as was the case in England, and is still the case in Scotland. We beg that the conveyance may be

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altered, so as to make the rent one penny per acre on the value thereof. The value can always be adjusted by Parliament. This would gain the proprietors multitudes of tenants. We think that the deputies and the late Governor were most unmannerly in not waiting on you after your arrival, though every other gentleman did. We think their words and actions at your first meeting with them were rude and unjust, for they tried to enter a false record about you. We beg you to write to the proprietors an account of their treatment of you, for they will only write an untrue story of it. They have reported sundry strange tales about you. We have no patience to endure the thought of their behaviour in calling out the militia of Charlestown without your order, and publishing the libel charging you with treason, and telling the people that they need not obey you as Governor. This would have put the whole country into blood, had not the justice of your cause been known. We hope you will proceed against them, and we thank you for laying aside so many deputies as you were empowered to reject. We thank you also for calling a Parliament. We shall say nothing about signing the fundamental constitutions again, this paper being a bare narrative of past transactions, but we do not believe that the proprietors intended to alter the laws without consent of the people, except in such matters as solely concerned themselves. We are resolved in the next Parliament to send home two duly accredited persons to treat with the Lords Proprietors as to the affairs of this part of the province. [*Col. Entry Bk., Vol. XXI., pp.* 150-159.]

[1688 ?] **1,963.** "An account of the several grants and charters for the plantations in America." A very brief summary of the history of the charters of the Colonies in America and the West Indies, from 1615 to 1686. 6½ *pp. Undated.* [*Col. Papers, Vol. LXIII., No.* 97.]

1688. **1,964.** Returns of shipping and of imports for the ports of New England, for the year 1688. [[*Col. Entry Bk., Vol. LXIII.*]]

[1688 ?] **1,965.** An abstract of the papers concerning the seizure of the ship belonging to William Vaughan and others, while fishing on the coast of Acadia, by French officers. 2½ *pp.* [*Col. Papers, Vol. LXIII., No.* 98.]

1,966. An abstract of the French envoy's answer to the English remonstrance in the above case of the Acadian fishery. *Draft, with corrections.* 1½ *pp.* [*Col. Papers, Vol. LXIII., No.* 99.]

ADDENDA—1653-1687.

1653.
Jan. 21.
Whitehall.

1,967. Order of the Council of State. Referring the petition of William Underwood to the Commissioners of the Admiralty for consideration. *Signed*, Jo. Thurloe. ½ *p.* *Annexed*,

1,967. I. Petition of William Underwood, sheriff of London, and others. Asking for licence for their ship to go to Virginia, with shoes. *Signed*, Wm. Underwood. Six more signatures. *Inscribed*. A scribbled note that the petitioners shall have the licence and letters of a private man-of-war. 1 *p.* [*Col. Papers, Vol. LXIV., Nos.* 1, 1I.]

May 26. **1,968.** Account of the cargo and charge of the ship King David, bound to New England. 10 *pp.* [*Col. Papers, Vol. LXIV., No.* 2.]

[1654.] **1,969.** Petition of Simon de Catres to the Commissioners of the Admiralty. Asking for a pass for his ship to Barbados. ½ *p.* *Annexed*,

1,969. I. Certificate of the Governor of Barbados, that the petitioner is an inhabitant of Barbados. 17 October 1655. *Signed*, Danyell Searle. ½ *p.* [*Col. Papers, Vol. LXIV., No.* 3.]

1655.
Feb. 6. **1,970.** Commission to Gregory Butler, Richard Holdipp, and Edward Blagge, to be commissioners for the Expedition to the West Indies. Unsigned, and the date of the year not filled up. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 4.]

Feb. 6. **1,971.** Instructions of the commanders of the West Indian Expedition to Gregory Butler, Lieut.-Col. Holdipp, and Captain Blagge. To visit the Leeward Islands, collect provisions, seize ships illegally trading, and encourage the inhabitants to help in the expedition. *Copy.* 2½ *pp.* *Endorsed.* [*Col. Papers, Vol. LXIV., No.* 5.]

Feb. 8. **1,972.** The Commissioners of the Treasury to the Council of State. Recommending that Henry Thornhaugh and others be permitted to transport £6,000 value in Spanish money to the East Indies. *Signed*, B. Whitelocke, John Lisle, Th. Widdrington, E. Mountagu. ½ *p.* *Endorsed.* Read and ordered 9 Feb. '54. [*Col. Papers, Vol. LXIV., No.* 6.]

Feb. 8-25. **1,973.** A collection of depositions of the captains of the Dutch ships found at Barbados and confiscated by the West Indian Expedition, under Venables and Penn.

1,973. I. Examination of Erike Schmit and others, 8 February 1655. 2 *pp.*

1,973. II. Examination of Jacob Hendrikson and others. 13 February 1655. 3 *pp.*

1655.

1,973. iii. Examination of Garret Johnson. Same date. 1 *p.*

1,973. iv. Examination of Henry Cornelison and others. 14 February 1655. 2 *pp.*

1,973. v. Examination of Bartlet Fock. 1 *p.* Same date.

1,973. vi. Examination of Symon Peterson and another. 2 *pp.* Same date.

1,973. vii. Examination of Jasper Le Canter and others. 3 *pp.* 15 February 1655.

1,973. viii. Examination of Herman Barrentson and others. 2 *pp.* 16 February 1655.

1,973. ix. Examination of Tousine Le Sage and others. 2 *pp.* 17 February 1655.

1,973. x. Examination of John Peterom. 1 *p.* 19 February 1655.

1,973. xi. Examination of Peter Symonson. 1 *p.* Same date.

1,973. xii. Examination of Hans Gotchy and others. 2½ *pp.* 23 February 1655.

1,973. xiii. Examination of Dow Dirickson and others. 2 *pp.* 25 February 1655.

1,973. xiv. Examination of John Leonards and others. 1 *p.* Same date.

1,973. xv. Examination of Nicholas Florison and others. 1 *p.* Same date.

1,973. xvi. Examination of Albert Albertsen and others. 2 *pp.* Same date. [*Col. Papers, Vol. LXIV., Nos.* 7, 7i.-xvi.]

March 1. **1,974.** Commission of the Commanders of the West Indian Expedition to Thomas Modyford, John Yeomans, William Vassall, John Roberts, and Peter Leare, to be commissioners of the Prize Commission in Barbados. *Signed*, R. Venables, Wm. Penn, Edw. Winslow. *Copy.* 2½ *pp.* *Endorsed.* [*Col. Papers, Vol. LXIV., No.* 8.]

March 1. **1,975.** Instructions for the Commissioners of the Prize Office erected at Barbados, 1 March 1654-5. Fourteen articles. *Signed*, R. Venables, Wm. Penn, Edw. Winslow. *Copy.* 7 *pp.* [*Col. Papers, Vol. LXIV., No.* 9.]

March 2. **1,976.** Proclamation of the Commissioners of the West Indian Expedition for the establishment of a Prize Office in Barbados. *Signed*, R. Venables, Wm. Penn, Edw. Winslow. *Copy.* 2½ *pp.* [*Col. Papers, Vol. LXIV., No.* 10.]

March 10.
Carlisle Bay. **1,977.** John Carter, to the Commissioners of the Admiralty. I enclose an account of what provision is short to complete 7,170 men. There is an overplus at Portsmouth, but much has been spoiled by dampness, leaks, and long lying in ships. We hope therefore for early supplies. *Signed*, Jo. Carter. *Enclosed*,

1,977. i. Account of provisions short of proportion for 7,170 men, and of provisions overcharged. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 11.]

1655.
March 16. Barbados. **1,978.** Intelligence given by William Walters, from Palma, Canary Islands. As to apparent want of preparations of the Spanish against the English. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 12.]

[March.] **1,979.** A collection of inventories of Dutch prizes taken at Barbados, and of their value. Eight papers in all.

1,979. I. Inventory of the ship Greenfoot.
1,979. II. Same of the Golden Star.
1,979. III. Same of the Brown Fish.
1,979. IV., V. Same of the ship Fortune.
1,979. VI. Same of the ship Peace.
1,979. VII. Same of the ship Unity.
1,979. VIII., IX., X. Same of the ship King David.
1,979. XI. Same of the ship Arms of Farnamburke.
1,979. XII. Same of the ship Love.
1,979. XIII. Same of the ship Hare.
1,979. XIV., XV. Same of the ship Elizabeth.
1,979. XVI. Same of the ship French Arms.
1,979. XVII. Valuation of the sixteen prizes. Total, £3,203 14*s.* 0*d.* [*Col. Papers, Vol. LXIV., Nos.* 13, 13I.-XVII.]

Aug. 1. **1,980.** Order of the Council of State as to arms for Barbados. *Calendared in a former volume, under date.* [*Col. Papers, Vol. LXIV., No.* 14.]

[Aug. 9.] **1,981.** Petition of Mariana Bland, wife of Lieut.-Colonel Bland, employed in the West Indian Expedition, to the Lord Protector. Asking for the admission of two vessels of sugar sent to her from Barbados by her husband, free of customs and excise, being straitened for means and having five small children to support. ½ *p. Endorsed.* Ordered 9 Aug. 1658. [*Col. Papers, Vol. LXIV., No.* 15.]

Aug. 29. **1,982.** Order of Council of State, on the petition of Thomas Maundy. *Calendared in a former volume, under date.* [*Col. Papers, Vol. LXIV., No.* 16.]

Oct. 17. **1,983.** Order of the Council of State, as to meeting a bill of exchange drawn at Jamaica. *Calendared in a former volume, under date.* [*Col. Papers, Vol. LXIV., No.* 17.]

Oct. 20. **1,984.** Order of the Council of State, as to the despatch of the ship Marston Moor. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 18.]

Nov. 15. **1,985.** Order of the Council of State. For payment of several bills of exchange. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 19.]

1656.
Jan. 1. **1,986.** Order of Council of State, for payment of bills of exchange. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 20.]

1656.
Jan. 29. **1,987.** Order of Council of State, for payment of bills of exchange. *Calendared under date in a former volume. In duplicate.* [*Col. Papers, Vol. LXIV., Nos.* 21, 22.]

Feb. 15. **1,988.** Order of the Council of State, on petition of Captain John Leverett. *Calendared under date Feb.* 16 *in a former volume.* [*Col. Papers, Vol. LXIV., No.* 23.]

March 19. **1,989.** Order of Council of State on the petition of Francis Water. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 24.]

June 7. **1,990.** Survey of the ship Arms of Holland, and report of her defects. (Jamaica.) *Signed* by seven officers. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 25.]

June 13. **1,991.** Similar survey of the Swift, by order of Admiral Goodson. *Signed* by six officers. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 26.]

June 14. **1,992.** Similar survey of the Paul. *Signed* by six officers. [*Col. Papers, Vol. LXIV., No.* 27.]

June 15. Jamaica Harbour. **1,993.** List of men and ships in His Highness's service, with an account of their condition and stores. *Signed,* Cornelius Burough. 2½ *pp. Endorsed.* Recd. 12 Sept. 1656. [*Col. Papers, Vol. LXIV., No.* 28.]

June 24. **1,994.** "Account of the monies left with me by the Right Hon. General William Penn." *Two pages of accounts. Signed,* Will. Goodson. [*Col. Papers, Vol. LXIV., No.* 29.]

1656 ?

1,995. Philemon Pownoll to the Commissioners of the Navy. I left Jamaica for England on the 21st January, with your packet, and, after a fair wind, which took me as far as Caymanos, was driven to the Isle of Pines, and, after a troublesome voyage, have reached Portsmouth. My ship, the Wildman, has proved very tight, but my men have been on short allowance for six months. *Signed,* Philemon Pownoll. 1 *p. Undated.* [*Col. Papers, Vol. LXIV., No.* 30.]

[1656.]

1,996. List of ships remaining at Jamaica, and their employment. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 31.]

1656.
Sept. 3. **1,997.** [Captains Mark Harrison and Jeffery Dare] to [the Commissioners of the Admiralty ?]. Mr. Aylesbury died on 24 August. We shall miss his counsel much. There is no news to give you of the army, nor have we heard of the fleet since its departure. We send an account of the stores left with us. We expect the Governor of Nevis and the families that are coming with him this month, as they were in readiness to embark and daily expecting a ship when we last heard of them. The Hope has arrived with naval stores. We look for a thousand immigrants from New England before long. *Unsigned, but dated from the ship* Bear. 1½ *pp.* [*Col. Papers, Vol. LXIV., No.* 32.]

1656.
[Sept.] **1,998.** An inventory of the goods to be laden by the ship Hope in New England, for Jamaica. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 33.]

Oct. 10. **1,999.** Mark Harrison and Jeffery Dare to [the Commissioners of the Admiralty]. The Admiral is not returned yet. All is quiet, thanks to the industry of the army. We hear of great mortality among the Spaniards who left this Island, and it seems that they are in great straits in Spain too. Our provisions are running short, and our drink wholly expended, but for a little store we bought from a New England ketch. Why this scarcity we know not, but we have been obliged to put the men on half allowance. We cannot get fresh beef in the Island. *Signed*, Mark Harrison, Jeffery Dare. *Enclosed*,

1,999. I. Account of stores, number of men and of ships. Jamaica Harbour, Oct. 10, 1656. 1 *p.* [*Col. Papers, Vol. LXIV., Nos.* 34, 34 I.]

1656 ? **2,000.** "The names of several persons that came from Jamaica for a pass." A list of ten names. *On the back*, Some rough memoranda as to naval stores. ½ *p.* [*Col. Papers, Vol. LXIV., No.* 35.]

Notes of agenda in respect to the Jamaica expedition, apparently at the first return of Venables and Penn. *A few lines.* [*Col. Papers, Vol. LXIV., No.* 36.]

2,001. Judgment of the Court of Admiralty of England in the case of the ship Speedwell. *Copy.* 6 *pp.* [*Col. Papers, Vol. LXIV., No.* 37.]

1657.
Feb. 3. **2,002.** Order of Council of State, on petition of Nicholas Isaac. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 38.]

April 14. **2,003.** Order of Council of State, for a convoy to Newfoundland. *Calendared under date in a former volume. Three copies.* [*Col. Papers, Vol. LXIV., Nos.* 39-41.]

[April 30.] **2,004.** Petition of the merchants of Bristol to the Council of State. Praying for leave to export 5,000 dozen pairs of boots and shoes to Barbados. 1 *p.* *Inscribed.* Order 30 April 1657. [*Col. Papers, Vol. LXIV., No.* 42.]

Sept. 29. **2,005.** Order of the Council of State, for payment of bills of exchange for provisions in Jamaica. *Calendared under date in a former volume. Two copies. Col. Papers, Vol. LXIV., Nos.* 43, 44.]

Oct. 27. **2,006.** Order of Council of State, for payment of bills of exchange drawn in Jamaica. *Calendared under date in a former volume. Two copies.* [*Col. Papers, Vol. LXIV., Nos.* 45, 46.]

Dec. 10. **2,007.** Order of the Council of State, for payments for the forces in Jamaica. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 47.]

1658.
Feb. 9. **2,008.** Order of Council of State as to petition of John Leverett. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 48.]

June 10. **2,009.** Order of Council of State, on petition of Caleb Elliott. *Calendared under date in a former volume.* [*Col. Papers, Vol. LXIV., No.* 49.]

1658 ?

2,010. Queries and objections in the case of Massachusetts subjugating the Eastern parts. Protest against the extension of the Massachusetts Patent, in defiance of a previous unquestioned possession of 27 years till 1652; the inhabitants did not submit, only three or four delinquents who raised a mutiny. Just that their lands and privileges should be restored, the taxes being intolerable; advantageous in policy that the colonies should be divided. Suggests seven names for his Highness to choose. Asks whether the proceedings of the Massachusetts were not in violation of *jus gentium.* Relates the measures by which the people were gained over, the loss which the writer has suffered, and has had his patent judged void after all, the services of Godfrey for propagation of the Gospel and advancement of the country. The Honoured Estate of England loses reservations of rents, &c., by these proceedings. *This paper is so confusedly written as to be hardly intelligible.* 4 *pp.* [*Col. Papers, Vol. LXIV., No.* 49A.]

1659.
June 20. **2,011.** Abstract of the musters of the troops at Jamaica. 2,230 men. *Signed,* F. Hodges. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 50.]

1660.
Feb. 15. **2,012.** Order of the Council of State. Referring the representations of Colonel Samuel Barry to the Commissioners of the Admiralty for their report. *Signed,* W. Jessop. *Annexed,*

2,012. I. Proposals offered by Samuel Barry for the fleet and army at Jamaica. The men's pay is in arrears, and they have received no clothes for three years. Some clothing should be sent to them already, in lieu of pay. The fleet also is short of sails and other necessaries. 1 *p.*

2,012. II. A second paper by Barry, setting forth the neglect of Jamaica by the Parliament since the end of the Protectorate, and its need of assistance. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 51, 51I., II.]

April. **2,013.** Account of provisions, clothing, and other stores necessary for the fleet and army in Jamaica. 1 *p.* *Endorsed.* Apr. 1660. [*Col. Papers, Vol. LXIV., No.* 52.]

1660 ? **2,014.** Account of the population of Jamaica, with their proportion of arms, and of acres planted. 2,458 men, 454 women, 448 children, 514 negroes, 618 arms, 2,588 acres. 2 *pp.* *Undated.* [*Col. Papers, Vol. LXIV., No.* 53.]

1660.

2,015. Memorial of John Tarama, a Spanish merchant, concerning Jamaica. Recommends that Spaniards be encouraged to settle there, and shows that security and just government, combined with personal and religious liberty, such as is enjoyed in Dutch and Venetian Colonies, will attract many, to the prosperity and increase of population of the island, and augmentation of his Majesty's Crown. *Spanish.* 2½ *pp.* [*Col. Papers, Vol. LXIV., No.* 54.]

[1660.]

2,016. Petition of Capt. Bernard Reilly to the King. Petitioner served in Lord Digby's regiment in Flanders, and afterwards in England, under Col. Rivers, but is now bound for Jamaica. Prays to be appointed Storehousekeeper of Prizes in that island, with a salary, and to be recommended to the Governor. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 55.]

1660 ?

2,017. Petition of Manuel Fisxil and Jorge Cardosso for freedom of trade in Jamaica. *Spanish.* ½ *p.* [*Col. Papers, Vol. LXIV., No.* 56.]

2,018. Petition of Matthias Decost to the King, for assistance in the management of five silver and copper mines discovered by him in Virginia and Maryland, where he has resided nineteen years. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 57.]

2,019. Petition of Daniel de Bueno Henriques and Rowland Jackson to the King. Asking letters of denization. 1 *p. Undated.* [*Col. Papers, Vol. LXIV., No.* 58.]

2,020. A petition from Henriques only, to the same effect, mentioning that he has lived four years in Barbados. *Undated.* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 59.]

1663.

2,021. Petition of the inhabitants of St. Christopher's to the King. For the recalling of the *mandamus* requiring them to obey Lord Willoughby as proprietor. 1 *p. Undated.* [*Col. Papers, Vol. LXIV., No.* 60.]

1664.

2,022. Estimate of the charge of sending the King's Commissioners to New England. Total, £3,000. 1 *p. Undated.* [*Col. Papers, Vol. LXIV., No.* 61.]

1665.
Feb.

2,023. The King to Governor Sir Thomas Temple. Authorising him to publish the declaration of war against France and commence hostilities. *Draft, with corrections.* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 62.]

1666.

2,024. Petition of Octavius Ximenes of Aragon, a Lusitanian, to the King. Prays his Majesty's aid, and letters to Bernardine de Tuasco, to secure him protection and speedy justice in his cause. *Latin.* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 63.]

1667.
June 17
27.
Albany.

2,025. D. V. Schelluyne to M. de Tracy. In reply to favour of 30 April last, have to refer to the Governor-General's letter, and to the verbal instructions which will be sent by the Zee-Corlar [?]. Expresses obligation for the courtesy that the Algonquins, through Tracy's authority, have done no molestation or offence; on occasion, will be happy to requite this friendliness. *Dutch.* ½ *page.* [*Col. Papers, Vol. LXIV., No.* 64.]

1667 ?

2,026. Fragment of a draft commission to Lord Willoughby of Parham for the Government of St. Christopher's. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 65.]

2,027. Fragment of a petition for land in Jamaica. *Half destroyed.* [*Col. Papers, Vol. LXIV., No.* 66.]

1667.

2,028. The King to Lord Willoughby of Parham. We have ordered a regiment of foot, under Sir Tobias Bridges, to be transported into Barbados, to be employed in the defence of Barbados and the West Indies. One half of the four and a half per cent. duty will be devoted to the payment of them. *Draft, with corrections.* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 67.]

2,029. Lords of Trade and Plantations to the King. The merchants and traders to Barbados have complained to us of delay of justice in recovering of debts and rights, and in particular of an order made by the President and Council, on the petition of three parishes only out of thirteen, for the judges of the several precincts to adjourn and make stay of all their officers till the Assembly shall meet. Lord Willoughby of Parham disclaims all knowledge of it, and having ascertained that the merchants are great sufferers, we recommend that the order of the President and Council be reversed. *Signed,* Philip Frowde. 2½ *pp. Undated.* [*Col. Papers, Vol. LXIV., No.* 68.]

1667 ?

2,030. Memorandum of arms, ammunition, and accoutrements for the companies that are arrived and shall arrive from Barbados; the sick to be put into hospital. [*Col. Papers, Vol. LXIV., No.* 69.]

1669.
July 4.

2,031. William Lord Willoughby to ? . On the 6th February, a man-of-war arrived, with letters from Mons. de la Barre; only a trick, in my opinion, to help his old spy. This pert Monsieur was not willing to do his duty to the King's flag, but expecting some such thing, I gave orders at the fort to make him strike, or strike him. The Monsieur stood two shots through him. They don't want a pilot, for their spy, who was on board, knows the harbour as well as I do. *Signed,* W. Willoughby. *Annexed,*

2,031. I. Copies of orders to the French vessels as to salutes to the navy and forts of England. *Two short extracts. French.* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 70, 70I.]

1669.
Dec. 10. **2,032.** Petition of Captain Robert Robinson, R.N., to the King. I captured several prizes in the last war, and was dangerously wounded, but have never had either gratuity or salary. I therefore lay before you the condition of Newfoundland, and beg that if you send a Governor thither, as I advise, I may be sent. 1 *p.* *Endorsed.* Read Dec. 10, 1669. *Annexed,*

2,032. I. Reasons for a settled Government in Newfoundland. It has been for more than a century a profitable fishing ground, and had a Governor in Charles I.'s time. There is great destruction of trees, wasteful breaking down of landing-stages, constant filling of the harbours by throwing overboard press-stones, and general disorder. *Large sheet.* [*Col. Papers, Vol. LXIV., No.* 71.]

Dec. 15. **2,033.** Order of the King in Council. Referring the petition of Captain Robert Robinson, with his suggestions as to Newfoundland, to Lords of Trade and Plantations, for examination and report. The West Country Adventurers to be summoned to attend. 1 *p.* *Signed,* Robert Southwell. [*Col. Papers, Vol. LXIV., No.* 72.]

Dec. 15. **2,034.** Copy of the foregoing. 1½ *pp.* [*Col. Papers, Vol. LXIV., No.* 73.]

1670.
Jan. 17. **2,035.** Minutes of a Committee about the trade with the Canary Islands. A few details about the trade. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 74.]

Jan. 18. **2,036.** Report of Lords of Trade and Plantations to the King. The recommendations embodied in Order in Council of 4 Feb (*see No.* 2,038). 1 *p.* [*Col. Papers, Vol. LXIV., No.* 75.]

Jan. 19. **2,037.** Rough draft of the recommendations aforesaid. ½ *p.* [*Col. Papers, Vol. LXIV., No.* 76.]

Feb. 4. Whitehall. **2,038.** Order of the King in Council. Approving the report of Lords of Trade and Plantations that a Governor should not be sent to Newfoundland, but that a chaplain shall be sent thither on a convoy ship, and that the captains shall have power to regulate abuses there. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 77.]

Oct. 6. **2,039.** Order of Lords of Trade and Plantations for Mr. Slingsby to obtain from Mr. Williamson copies of the commissions and instructions relating to Jamaica and St. Christopher's, and to consult him as to such other commissions as he has in his hands. ½ *p.* *Annexed,*

2,039. I. List of papers received by Slingesby at various times from Mr. Bridgeman and Mr. Williamson. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 78, 78I.]

Oct. 9. **2,040.** H. Slingesby to Mr. Williamson. I acquainted the Council with your desires as to the names of the Commissioners for St. Christopher's, but had no order to send you any names. The Council requires the drafts of the new commissions for St. Christopher's and Jamaica. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 79.]

1670.
Oct. 15. **2,041.** Account of arms and ammunition issued to the Colonies from the Office of Ordnance during the past ten years. *Signed*, H. Slingesby. 3 *pp. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 80.]

Nov. 8. **2,042.** Captain Jeffery Peirce to Commissioners of the Navy. I arrived at Barbados 31 October, and am to stay ten days by Lord Willoughby's order, and then go to the Leeward Islands. Colonel Byam being dead, Samuel Winthrop is now Governor of Antigua. *Copy.* ½ *p.* [*Col. Papers, Vol. LXIV., No.* 81.]

Nov. 28. Eaglet Ketch, Antigua. **2,043.** Capt. Jeffery Peirce to the Navy Commissioners. Has conversed with Capt. Winthrop, who is the chief there, Colonel Byam being dead, about their orders, and he having heard that 50 English have been forced on shore at the Island of Portevica, and are in the custody of the Spaniards, has ordered the writer to go and demand them of the Governor, and to let him know of the peace made between England and Spain. On his way thither shall call at Montserrat and Nevis and speak with the Governors there, and if he can recover the English, shall return to Antigua. Hears there are several English in other places, amongst the Spanish, French, and Indians, and supposes that that will be most of his business for some time in those parts, to which he will, by God's assistance, use his utmost endeavours. 1 *p. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 82.]

Dec. 20. **2,044.** H. Slingesby to Lord Arlington. I send you drafts of Sir Thomas Lynch's despatches, for presentation to the King, and I am to remind you about inserting a clause allowing Sir Thomas Modyford to return to England. An instruction from the Duke of York to Sir Thomas to command the ships that convoy him to Jamaica should be added. I think an instruction should also be added as to striking the flag in case of meeting a French man-of-war. A copy of the late treaty with Spain should also be given to Sir Thomas. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 83.]

Dec. 20. **2,045.** Sir Thomas Lynch to Joseph Williamson. The King said he would send us ammunition. You would do us a great service by getting the order executed in a day or two. Pray also hasten my commission, for till I have that I cannot have the Duke's orders to put my things aboard. *Signed,* Thomas Lynch. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 84.]

Dec. 23. Whitehall. **2,046.** Order of the King in Council. For the complaint of the Western Adventurers as to Newfoundland to be heard on 4 January next. *Signed,* Ed. Walker. ½ *p. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 85.]

Dec. 29. **2,047.** H. Slingesby to Joseph Williamson. The Lords desire a copy of Sir Charles Wheeler's commission to command in the Leeward Islands, to suit his instructions thereto. I left a paper as to the 26th instruction to Sir T. Lynch with you on Tuesday last. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 86.]

1670 ?

2,048. Memorial of A. Carvell, employed by the Governor of Havanna in search of an escaped ship, for the return of three of his men, Spaniards, who were apprehended for landing in Virginia. *Copy.* 1 *p.* *Undated.* [*Col. Papers, Vol. LXIV., No.* 87.]

1672 ?

2,049. Sir Thomas Modyford's reasons for the inconveniences of settling the Secretary's, Surveyor's, and Marshal's places for life, and by patent. (1) These officers ought to be always in attendance on the Governor, but being appointed under the same seal they may think themselves as good as he is, and so become "proud, careless, and indiligent in their work," (2) to carry out orders according to their own opinions, instead of the Governor's wishes, as I know by experience, and (3) to mind their own profit more than his Majesty's service. Hence Secretaries almost refuse to copy despatches, commissions, etc., because the work brings no fee, and, similarly, the Marshal refuses to attend the Governors to church or on journeys. (4) The deputy of the Governor is much lessened, as above explained. (5) It diverts men from deserving well of the Governor, seeing that he cannot enforce obedience. (6) The Marshal is a kind of Sheriff. Tenure of his office for life easily begets oppression. (7) The Secretary was so far from complying with the King's commands that he would not even keep his office in the town where the Governor lived, which was one of the reasons why the Council recommended the Governor to seize his office. (8) The Surveyor also would live where he pleased, and not where he was told. He lived at the Point, a sea town, two leagues distant by water and ten leagues over a deep, sandy passage by land. He would let no one survey but by his appointment, charging first 12*d.*, then 8*d.*, and finally finding that insufferable, 4*d.* an acre, though he gave not a penny an acre for the work. He did nothing himself but receive the money, which was a great oppression to the poor planter, and no "able artist," indeed, but four men in the island would work for him at such pay, so that much of what is granted is not yet surveyed. (9) These officers, on pretext of their patents, give no security for good behaviour. (10) The Marshal keeps his chief prison at the Point, and there lives with the other "triumvirs," carrying all his prisoners thither, to the intolerable charge and grievance of the island, making them pay for transport and victuals, whereas were the prison in St. Jago, prisoners could easily be fed by their relatives. Finally, these three officers have, by their pride, insolence, exaction, and distortion infinitely hindered this settlement, impoverished the planters, disabled many to begin settlement, and almost all to carry it on with proper vigour. It is therefore humbly offered and desired (1) That the Secretary's Office may continue as now, settled on Colonel Morgan's eldest son, which is kept very conveniently by himself and deputies, at St. Jago. The profit thereof is a great relief to his father, who hath a great charge of children, and ought to live as Lieutenant-Governor of this Island. (2) The Surveyor-General is dead, and the office now settled, as in Barbados, on a number of Sworn Surveyors. This arrangement should be confirmed, and the fee fixed by Act at 2½*d.* an acre. (3) That Sheriffs

1672 ?

be appointed annually, for the execution of writs, instead of a Provost Marshal, and that the Marshal necessary for attendance of the Governor be appointed by him. Thus these officers being appointed by the Governor, may be expected to do their duty properly. 2½ *pp. Undated.* [*Col. Papers, Vol. LXIV., No.* 88.]

2,050. Petition of Thomas Savage, of Boston, to the King. Hath been an inhabitant of N. England about forty-four years, and with William Coddinton, late of Rhode Island, and eighty others, purchased of Miantonomy, the Chief Sachem of the Narragansett country, formerly called Aqueedneeke, but now Rhode Island *(sic)*. They were peaceably admitted and owned by the Indians, the sole proprietors of the same, by a short instrument in writing, dated 7 March 1638-9, and associated themselves into a form of government. It was afterwards agreed that every purchaser should have a home lot of about eight "achors," and that the part of the island undivided should continue to the use of the first purchasers and such others whom they should think fit to admit. Has paid his proportion of purchase-money, and has had a home lot in a tract of land belonging to Portsmouth on said island, known by the name of Savage's Lot to this day, and expected a proportional lotting of the undivided lands, yet notwithstanding his often soliciting, is still kept out of his right, and opposed by those who were admitted freemen of said place. As there are no indifferent Courts established, but all are constrained to implead their adversaries in their own Courts, where themselves are judges and jurors, prays that Royal letters may be granted to some gentlemen inhabiting the neighbouring colonies to hear the matter in difference and to report the same, so that a final determination may follow. *Signed by* Thomas Savage. [*Col. Papers, Vol. LXIV., No.* 89.]

1673.
May 28. **2,051.** Council of Barbados to Lords of Trade and Plantations. *Extract of letter, calendared under date.* Death of William, Lord Willoughby, and the appointment of Warner the Indian to be Governor of Dominica. [*Col. Papers, Vol. LXIV., No.* 90.]

1674.
Feb. 5. **2,052.** Copy of the form of a bond of navigation in Maryland. 1 *p. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 91.]

1676 ?

2,053. Petition of Randall Holden and John Green, on behalf of the town of Warwick, Rhode Island, to the King. We have lived in Warwick five-and-thirty years, but before we were settled misunderstandings arose between us and Massachusetts in matters of religion, for though this land is outside their patent line, yet one day we were suddenly seized by soldiers and tried for our lives without jury or accusers, saving our lives by a majority of two only. We were then imprisoned for half a year with our legs in irons, and forced to work for our subsistence, then we were banished, and all our goods and cattle, to the value of 4,000*l.*, seized and sold for their benefit. And all this because, although outside their jurisdiction, we stuck to the doctrines taught us in our youth by the Church of England. In 1644 we came to England to complain to King Charles the First, but the troubles prevented our obtaining

1676 ?

any help. Then in 1664 you sent out your Commissioners to settle the boundaries, to whom we submitted all our complaints, but, owing to the perversity of Massachusetts and an unfortunate accident, nothing came of it. In 1673 came the Indian war, which came heavy upon us, and led to the burning of Warwick. This danger ended, there arose new internal dissensions, owing to the claims of Connecticut to the Narragansett country. In 1674 William Harris of Patuxet also preferred claims. The case was heard by Commissioners from Massachusetts, Connecticut, and New Plymouth, all of whom were hostile to us, and who gave damages against us, and took away much of our best land. We then appealed to you for reversal of the Commissioners' sentence, but none was granted, which has occasioned us to come over in our old age to ask for justice and settlement of these distractions. *Signed.* 2 *pp.* *Endorsed.* [*Col. Papers, Vol. LXIV., No.* 92.]

2,054. Petition of the Council and Assembly of Barbados to the King. Begging redress of grievances herewith set forth. 1 *p.* *Annexed,*

2,054. I. Table of grievances. 1. Extortion of the farmers of the four and a half per cent. duty, by wrongful gauging of cask. An Act has been passed to regulate the gauge, which the King is begged to confirm. 2. Dearth and dearness of negroes, owing to the monopoly of the African Company. 3. The burden of the Navigation Acts in ordering all sugar to be brought to England and in English ships. 2 *pp.* *Undated.* [*Col. Papers, Vol. LXIV., No.* 93.]

2,055. Petition of William Reid, merchant, to the King and Council. Prays for license for a Hamburgh ship of 100 tons to take wines from Madeira to Barbados. *Endorsed.* Read 11 Oct. Laid aside. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 94.]

1678 ?

2,056. Petition of the merchants, planters, and traders to the English Plantations in America, but more especially to Virginia, to the King. Setting forth the great detriment of planting tobacco in England, and imploring that an Act of Parliament be speedily passed to prevent the same. *Signed,* Edward Digges, Hen. Chicheley, Thomas Dale, Tho. Colclough, John Jeffereies, &c., in all 76 names. *Endorsed by Sir Joseph Williamson.* 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 95.]

1677.
Oct. 13. **2,057.** Order of the Court in the case of Hall *v.* Darvall. *Calendared in previous volume,* 1677-1680, *No.* 1,642. [*Col. Papers, Vol. LXIV., No.* 96.]

Nov. 27. **2,058.** Deposition of Robert Little. *Calendared as the preceding, No.* 1,643. [*Col. Papers, Vol. LXIV., No.* 97.]

1678.

2,059. Lord Carlisle to Secretary Williamson. As to his voyage to Barbados. *Calendared as the preceding, No.* 1,645. [*Col. Papers, Vol. LXIV., No.* 98.]

1678.
Aug. 1. **2,060.** Sir Jonathan Atkins to Secretary Coventry. As to wrecking of the French fleet on the Isle of Aves. *Calendared in previous volume,* 1677-1680, *No.* 1,646. [*Col. Papers, Vol. LXIV., No.* 99.]

Aug. 3. **2,061.** Colonel Strowde to Lords of Trade and Plantations. On the same subject. *Calendared as the preceding, No,* 1,647. [*Col. Papers, Vol. LXIV., No.* 100.]

Oct. 4. **2,062.** Address of the Jamaica Assembly to Lord Carlisle. *Calendared as the preceding, No.* 1,648. [*Col. Papers, Vol. LXIV., No.* 101.]

1680.
Jan. 16. **2,063.** Secretary Coventry to the Earl of Carlisle. Enclosing copy of Order in Council of January 14, 1680. *See previous volume, under date, No.* 1,265. [*Col. Entry Book, Vol. XCV., pp.* 176, 177.]

1680.
Feb. 17. **2,064.** Secretary Coventry to Governor Carlisle. I send a duplicate of my letter of 16th ult. by Sir Francis Watson. [*Col. Entry Book, Vol XCV., p.* 178.]

March 16. **2,065.** Secretary Coventry to Sir William Stapleton. Mr. Crispe being about to return to you, I must acquaint you of his diligence in performing the duty entrusted to him. Our ambassador has orders to push the Treaty of Neutrality with France to a conclusion. You will hear of it from another hand, for I hope shortly to be relieved of the labours of a Secretary of State. [*Col. Entry Book, Vol. XCV., p.* 178.]

May 19. **2,066.** Copy of the King's patent to William Blathwayt, to be Auditor-General of the Plantations. 12 *pp.* [*Col. Papers, Vol. LXIV., No.* 102.]

June 14. **2,067.** William Blathwayt to Sir John Werden. The Lords have received a petition from William Penn for a grant of land in America, but will take no resolution thereon till they have first consulted you as to the Duke of York's patent. They would be glad therefore of your opinion. *Draft, with corrections.* 1½ *pp.* [*Col. Papers, Vol. LXIV., No.* 103.]

Nov. 25. **2,068.** Commission from James, Duke of York, to Sir Richard Dutton, to be Naval Commander-in-Chief at Barbados. [*Col. Entry Book, Vol. VII., p.* 102.]

2,069. Particulars extracted from letters of Mr. Randolph, Collector of H.M.'s Customs in New England. That it be required that none be admitted to the magistracy or freedom in the colonies who do not take the oath of allegiance, and that their children be baptised. Necessity of erecting a Great Council from all the colonies with a President, as a court of appeal from the several judicatures, or of the King appointing a General Government. That a Court of Admiralty be erected. Several privateers gone thence to West Indies, expected home shortly. Boston merchants persuade themselves that on paying 1*d.* per lb. for tobacco in Virginia they have liberty to carry it whither they

1680.

please. That owing to the contentions about governing the Narragansett Country, it were more conducing to the planting of the country if it were a distinct government, it belonging to many gentlemen of good estates and quality. The agents of Boston, after repeated protestations of duty and obedience, are acting as high as ever; the merchants trade as free as before; it is in every man's mouth that they are not subject to the laws of England, neither are these of any force till confirmed by their authority. Proposed that as in Massachusetts all magistrates and men in public office should take the oath of allegiance, none to act or vote refusing it; that all men taking it be admitted to their freedom, and made capable of magistracy, being men of competent estates. Little good can be done to regulate the trade till it be ordered that no ship shall pass by the Castle till it has a certificate of clearing from H.M.'s Collector. Necessary to have his authority pass under the great seal. That a Custom House be erected, where all masters shall receive their despatches from H.M.'s Collector. If the Commissioners of Customs write to their Western Plantations and the ports in England and prohibit trade to vessels not bringing a clearing, it will soon make them comply. Thousands in all parts unbaptised. The General Council is up, having done nothing, as he hears, as to the King's letters. He is informed that no more agents will be sent over. People should be convinced by some public act or declaration that they are to obey his Majesty's commands, without the sanction of the Bostoners. That the Governor and magistrates of Boston be directed to appoint proper times and places when and where goods shall be laden and brought to shore at Boston and Salem. Humbly desires a consideration for his extraordinary expenses and service in his travels and in the settlement of the province of New Hampshire. *Endorsed.* Short abstract of things to be considered by the Committee out of Mr. Randolph's letters. 4 *pp.* [*Col. Papers, Vol. LXIV., No.* 104.]

1680 ?

2,070. A list of five ships bound for the West Indies. *Five lines.* [*Col. Papers, Vol. LXIV., No.* 105.]

1680.
May 27.

2,071. Certificates of Lord Vaughan and Lord Carlisle as to Charles Morgan. *Calendared in previous volume,* 1677-1680, *No.* 1,651. [*Col. Papers, Vol. LXIV., No.* 106.]

1,682.
Nov. 11.

2,072. Governor de la Barre of Canada to [?]. The posts of Manase and Albany, conquered by the English in 1667, are still partly inhabited by Dutch, under an English Governor. I am on the point of attacking the Iroquois, a savage tribe long our enemies, If I defeat these people I shall not be able to resist attacking the people at Albany, who give them arms and protection, contrary to the orders of the King of England. You would do well, therefore, to obtain a prohibition from the King and Duke of York, to prevent them from giving them arms and protection. There is an English company of Hudson's Bay which is beginning to hold a territory which the French King has held for 20 years. If they push on and erect mischievous little forts to debauch our

1682.

Indians, I shall be obliged to drive them out. *French.* 2 *pp.* *Endorsed.* Recd. from Fr. Amb. 10 Jan. '83. [*Col. Papers, Vol. LXIV., No.* 107, *and Board of Trade, Hudson's Bay I., p.* 1.]

1682 ?

2,073. An account of the title of the Kirkes to Canada. A brief narration of the grant of Nova Scotia to Sir William Alexander; of the conquest of Canada by the Kirkes in 1627 and 1628, of its restoration at the peace, and of Sedgwicke's capture of Acadia in 1654. 2 *pp.* *Undated.* [*Col. Papers, No. LXIV., No.* 108.]

2,074. A description of the river Merrimac and the lands bordering thereon, and of Lake Wenepesioco, lying on the North thereof. (A) The mountains surrounding the lake are not inferior to the Alps, from which we saw the lake. On these hills are rattlesnakes, but they are said to be quite blind. (B) The lake itself is about eighty miles by fifty, full of fish. (C) There are about fifty islands in the lake, as far as we could count, but the Indians say there are many more. Some are eight or ten miles long. (D) The Merrimac is a very beautiful stream, over eighty poles wide above the falls of Pawtucket; full of fish, chiefly salmon and sturgeon. (E) The river runs through five smaller lakes after leaving the great lake. (F) The river Aquaducta enters the Merrimac a little below the lakes, little inferior to it in beauty or bigness. It is full of fish, and bordered by pleasant marshes very fit for plantation. (G) By the first issue of the Merrimac are some high rocks, on which John Endecott engraved his name. (H) Pennycook is a very fair valley, with steep sides to south and east, where the Indians have built a fort for defence against the Mohawks. It is very fruitful in corn and grass. Nature has done so much that it seems like a plantation of long standing rather than a wilderness. The river runs through the valley in the form of a double S, taking her course back so often that it would seem to be sensible of the pleasures of the place. (I) The river Coscomco is very rapid even in summer; there is fine timber close by. (K) The river Shanco, where it enters the Merrimac, has thrown up an island. There is a stone like a tower on the west side of the river, 100 feet high, truly admirable to behold. (L) Amascaege is the great fishing place of the Indians in these parts. The rocks are hard, and worn into holes sometimes ten feet deep by the whirling of stones. (M) Lascatock river is about of the size of Nashaway. (N) Coleassett is a most advantageous situation, both for pleasure and profit, well fitted for plough or pasture. *The letters seem, by the context, to refer to some map or plan.* 2 *pp.* *Undated.* [*Col. Papers, Vol. LXIV., No.* 109.]

1683 ?
[Jan.]

2,075. The Hudson's Bay Company to the King. We have perused the extract from the Mons. De La Barre's letter (*see No.* 2,072). Englishmen discovered Hudson's Bay a century ago, and have frequented these parts ever since, and from time to time have taken possession of several places there. Fifteen years ago one Zachary Gillam pushed on further than before, and discovered a river at the bottom of the Bay, to which he gave the name of

1683 ?

Rupert's river, and built a fort and took possession of all the territory adjacent in your name. You later incorporated the Adventurers into a company. The French have never been known to trade in the Bay, and 1673 Count Frontenac concluded an agreement of amity with the Governor of the company, without complaining of the forts. We have since built two more forts, more remote from Canada than the first, and maintain trade and commerce with the Indians. We therefore claim the Bay as ours by right. *Signed*, Onesiphorus Albin. 3 *pp.* [*Col. Papers, Vol. LXIV., No.* 110, *and Board of Trade,* Hudson's Bay I., *pp.* 1-4.]

1683.

May 14. **2,076.** Petition of Sir John Kirk, Knight, to the King. In 1628 I and my brother captured Quebec, Acadia, and Canada. In 1632 these territories were restored to the French, on condition that they paid to us £5,500, and you gave us letters patent giving us the sole right to trade with Canada. We accordingly sent a ship there, with cargo worth £1,200, which was seized and confiscated by the French, who refuse to restore it. I beg for your intercession with the French King, as our ambassador in Paris has been unable to obtain justice for me. *Endorsed.* A reference of the petition to Lords of Trade and Plantations. 14 May 1683. *Signed*, L. Jenkins. 1¼ *pp.* [*Col. Papers, Vol. LXIV., No.* 111.]

[May ?] **2,077.** An account of the Council of Barbados. (1.) Sir Peter Colleton, Bart. Lives in England viciously, and under the conduct of my Lord Shaftesbury. (2.) William Drax. Lives in England, and under the conduct of my Lord Lovelace. (3.) Henry Walrond. A good man, and of right principles to the established Government. (4.) Samuel Newton. A quiet man, but his wife is a Quaker. (5-9.) Thomas Wardall, John Witham, John Peers, John Stanfast, Richard Howell. Good men. (10.) Edwyn Stede. A good man, and of right principles. (11.) Ben. Knight. Very insignificant. (12.) Tho. Walrond. A good man. Colonel Tho. Colleton, Sir Peter's brother, good. Major John Hallett, a good man. 'Tis said that one Francis Bond is likely to be one, and he is as good as Edward Bushell or Maurice Thompson, reported a preacher heretofore. ½ *p. Unsigned and undated.* [*Col. Papers, Vol. LXIV., No.* 112.]

Aug. **2,078.** Extract, showing what is granted to the Hudson's Bay Company by the King's patent. 1½ *pp.* [*Col. Papers, Vol. LXIV., No.* 113.]

Aug. 11. **2,079.** A second extract from the charter of the Hudson's Bay Company, written by order of the Lord Keeper, 11 August 1683. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 114.]

Oct. 15/25. **2,080.** A translation of a petition of Benjamin Gillam, telling the story of his expulsion from Hudson's Bay, and his harsh treatment by the French there, and seeking redress against the French, who attacked him and burnt his house as pirates. Copy of a minute by Governor de la Barre, dated October 25, 1685, ordering his ship to be restored, on condition that he sails away to Boston at once. *Copies. French.* 5½ *pp. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 115.]

1683.
Nov. 3.
Nevis.

2,081. Governor Sir William Stapleton to Lords of Trade and Plantations. The Spaniards have captured the Africa sloop, belonging to the African Company, and another boat which I sent to St. Thomas, both while sailing between Tortola and St. John within this Government. They have sent the master of the African to Spain, falsely pretending that he attacked the Spanish ship. *Copy.* 1 *p.* *Inscribed.* An order of the Lords of Trade and Plantations to Sir Leoline Jenkins, to communicate it to the special ambassador and demand satisfaction. *Signed*, William Blathwayt. 11 March 1683-4. [*Col. Papers, Vol. LXIV., No.* 116.]

Nov. 14. **2,082.** Deposition of John Calvert and others. That on 20 August 1682 two French ships came into Hudson's Bay from Canada and entered Nelson Bay. In June 1683 they attacked the English factory there, took the Governor, John Bridges, prisoner, plundered the factory, and burned and destroyed the Governor's house. They said that they acted by the King's Commission, whose flag they hoisted. In August they forced deponents on board one of the ships, a leaky ship, with a very scanty store of provisions, though the sea was full of ice at the time. 2 *pp.* Sworn before Sir Miles Cooke, master in Chancery. [*Col. Papers, Vol. LXIV., No.* 117.]

Nov. 14. **2,083.** Duplicate of foregoing. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 118.]

Nov. 14. **2,084.** Deposition of John Outlaw. That the French concerned in the outrage at Hudson's Bay declared that they acted by the King's commission. ½ *p.* [*Col. Papers, Vol. LXIV., No.* 119.]

Nov. 14. **2,085.** Petition of the Hudson's Bay Company to the King. In a letter of 11 November 1682, Governor de la Barre complained of our occupation of Hudson's Bay, and threatened to drive our people out. The letter was sent to us by you, and we answered the complaint, after which nothing more was done until on 21 August 1683 two French vessels sailed into Port Nelson, captured the Governor, and destroyed our buildings, saying that they did so by the French King's commission, which we do not believe. We beg for redress, and that orders may be given to protect us from further molestation. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 120.]

Nov. 23. **2,086.** Deposition of John Outlaw. Giving an account of the French attack on the English factory at Hudson's Bay. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 121.]

Dec. 4. **2,087.** Deposition of John Outlaw. A repetition of his evidence of 23 November (*see No.* 2,086). Sworn before Sir Leoline Jenkins. 1 *p.* [*Col. Papers, Vol. LXIV., No.* 122.]

Dec. 27. **2,088.** Sir James Hayes to Sir John Werden. The memorial which I left in your hands will have told you of the insolent behaviour of the French in Hudson's Bay. I have suspected that they may renew this work on a greater scale next spring, and my fears are realised by report that Radisson, who headed the French attack on the factory, had arrived from Canada in a French man-of-war, and posted straight to Paris, doubtless to represent the value of the Hudson's Bay trade. In my opinion the King should instruct Lord Preston instantly to press the King of France to do exemplary justice on Radisson. If that justice be refused, we shall know the French intentions, and if the Duke of York, our Governor, will shew the King our danger, we may be saved from the jaws of this Leviathan. If they can be kept away from Hudson's Bay next spring, I think we can make ourselves strong enough to resist future attacks. The concern is national as well as private. Pray move the Duke of York. *Signed*, Ja. Hayes. $1\frac{1}{2}$ *pp. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 123.]

[Dec. ?] **2,089.** Memorial for the French Ambassador The Hudson's Bay Company has complained of an attack by the French from Canada upon their factory at Port Nelson in June last, when the Governor was captured, the factory destroyed, the names of the rivers changed, and the French flag hoisted, etc., as was said, in the name of the French King. They also carried off an English ship, and turned some British sailors adrift in a leaky ship six hundred leagues from any port, with insufficient provisions. They escaped by miracle, but the King is much displeased at this outrage, and desires that orders may be given to the Governor of Canada for reparation, restoration of the usurped territory, and punishment of the offenders. *Draft, with corrections. French.* 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 124.]

2,090. A list of certain laws and orders in Bermuda, from 1668 to 1683. 3 *pp.* [*Col. Papers, Vol. LXIV., No.* 125.]

2,091. Memorial for the French Ambassador. The King having considered Governor de la Barre's letter of 11 November 1682, directs that the following answer be given. The complaints in the said letter may be reduced to two. 1. That British subjects furnish the Iroquois, who are old enemies of the French, with arms and ammunition. 2. That M. de la Barre, while attacking the Iroquois, cannot avoid attacking also those who give them arms and protection; and that he therefore desires an order from the Duke of York to forbid the giving of such help to the Iroquois in future from New York. 3. That the Hudson's Bay Company is erecting buildings on French territory, and that M. de la Barre intends to drive them out. To this it is replied as follows:—Manhattan and Orange are part of the Government of New York, and British territory, having been discovered about eighty years ago by the Englishman Hudson. In 1664 the King invested the Duke of York with the property of this province, which, though taken by the Dutch in 1673, was restored by treaty in 1674. The Colony is situated in the centre of the King's dominions in North America. The Iroquois extend northward from the side of Albany in territory which is indisputably English, whatever M. de la Barre may say. The Iroquois are British subjects by their own wish, and as such are reckoned as dependants of the Government of New York. They consist of the Maquas, Oneidas, Onandagas, Cayouges, and Senecas. These tribes have always been on good

1683.

terms with the English, but they had quarrels with the French continually until 1668, when the French made peace with them, which, with free commerce, has been observed to the present time. In 1675, in consequence of the Indian war against New England, the Governor of New York visited the remotest of these tribes, and was received with obedience. The Maquas were the first to help the English in subduing the rebellious Sachem Philip. The tribes are much intermingled with the English settlers, and they are furnished with arms for hunting purposes. Thus it will be seen that M. de la Barre's protest is groundless, for the English cannot refuse to sell arms to subjects who enjoy free trade with them, or deny protection to faithful allies. As to Hudson's Bay, the British since their discovery of the Bay, eighty years ago, have frequented it constantly, but no French sail has ever been seen trading to the Bay. Some of the Hudson's Bay Company made further discoveries fifteen years ago,and one Zachary Gillam, having made a treaty with the Indians, bought of them Rupert's river and the adjacent land, built a fort called Fort Charles, and has carried on traffic with the Indians ever since, without the least interruption from the French or other nations. The Hudson's Bay Company is incorporated by Letters Patent, by which they hold a monopoly of that trade. Gillam's treaty has since been renewed by Charles Bayley, and Count Frontenac, when seeking good relations with him in 1673, made no such pretensions as M. de la Barre. The forts since built by the English are remoter from Canada than Fort Charles, but not from any doubt of right to penetrate further into the territory. It is requested therefore that M. de la Barre be instructed to leave the English in Hudson's Bay unmolested. *Draft. French. Pp.* 5-15. *Annexed to the preceding are the following documents:—*

A paper of queries as to the discovery, trade, factories, etc., of Hudson's Bay. *P.* 17.

A list of the Adventurers of the Hudson's Bay Company. 1 November 1675. *Printed sheet. P.* 19.

Petition of the Governor and Company of Hudson's Bay to the King. Complaining of the entry of Charles Albanel, a Jesuit, into their territory, who not only tried to seduce two Frenchmen from the Company's service, but pulled down the royal ensigns in Hudson's Bay, and endeavoured, under pretence of preaching the Gospel, to divert Indians from trading with the Company. The Company's factors arrested him and sent him home, but he was discharged on promising to desist from these practices. Lately the two Frenchmen deserted the Company's service and joined the Jesuit at Paris. Petitioners beg that the French King may be asked to forbid any design that these men may be hatching against the Company. 1 *p. P.* 21.

Representation of the Hudson's Bay Company, on the projects of the Elector of Brandenburg. The Elector would certainly undertake nothing to the prejudice of the English King in Hudson's Bay if he knew the King's rights, (1) by the discoveries of Martin Frobisher in 1576; (2) by the voyages of Davis, 1585-1587; (3) by the voyages of Hudson in 1610; and (4) of James in 1631; (5) by

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the incorporation of the Hudson's Bay Company; and (6) by the advances since made by the Company. 1 *p. Endorsed.* Recd. by order of P. Rupert, 20 Dec. 81. *Pp.* 25. [*Board of Trade. Hudson's Bay I., pp.* 17-25.]

1684.

Jan. 9. Barbados. **2,092.** Sir John Witham to Lords of Trade and Plantations. Forwarding minutes of the Council and Assembly. *Signed,* Jno. Witham. *Holograph.* 1 *p. Endorsed.* Recd. 18 March 1683-4. [*Col. Papers, Vol. LXIV., No.* 126.]

Jan. 3. **2,093.** Minutes of Council of St. Christopher's. Proposed by the Assembly that one negro man out of every sixty be set to work at the Sessions House. Concurred in by the Council; one member of Council and one of Assembly to see to the work. Proposed by the Council, that the same negroes be sent on to the forts when the Sessions house is finished. The Assembly dissented. The Assembly proposed that all representations should henceforward be exempt from military service. [*Col. Papers, Vol. LV., No.* 40.]

[Jan. 9.] **2,094.** Samuel Hanson to Lords of Trade and Plantations. A reply to the articles exhibited against him by Sir Richard Dutton. 11 *pp. Endorsed.* Read in Council, 9 Jan. '83-4. [*Col. Papers, Vol. LXIV., No.* 127.]

[Jan. 16/26.] **2,095.** Memorial of Lord Preston to the King of France, for satisfaction for the attack on the settlements of the Hudson's Bay Company, and for justice on the offenders. *Copy.* 1 *p. Endorsed.* Sent by the packet of 16-26 January 1684. Read 9 Feb. 83-4. [*Col. Papers, Vol. LXIV., No.* 128.]

Jan. 20. **2,096.** Minutes of Council of St. Christopher's. Order for Captain William Willett, Treasurer, to see that all liabilities for the Sessions house be paid as soon as it is finished. Order, that all who went voluntarily on the late Indian expedition be excused their levy. Order for the chief officers in every district to take a list of the poor that cannot pay their levy therein; a member of Assembly to help each of them. [*Col. Papers, Vol. LV., No.* 40.]

Jan. 26. **2,097.** Sir James Hayes to Sir Leoline Jenkins. I have read Lord Preston's memorial (*see No.* 2,095), and would make these observations. First, Des Grosiliers and Radisson, the leaders of the outrage on our settlements in Hudson's Bay, left Canada because they were ill-treated by the Governor, and went to New England, where they offered their services for discovering the great beaver trade of Canada. They were sent off in a ship by some merchants of Boston, but returned without having accomplished anything, quarrelled with their employers in New England, and obtained an introduction to Prince Rupert, whose secretary I was. The Prince thereupon fitted out two vessels for Hudson's Bay, of which Des Grosiliers only made the voyage, and named Rupert's river, while Radisson's was driven back by the weather. This was in 1667-1668. The Company was then incorporated, and for seven years these two men were employed by it. Then the French in Canada grew jealous, and formed a league with some Indians to ruin us. The expedition was stopped by a quarrel

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between French and Indians, which led to bloodshed; but a Jesuit, Father Albanel, and another Frenchman fled from the fray, came to our factory, and asked to be received as friends in distress. Governor Charles Bayley, however, had heard of Albanel's having pulled down the English Royal arms at Rupert's river before, and sent him to England. He was well and kindly treated, but ungratefully seduced Radisson and Des Grosiliers from the Company's service, and being refused, he and his companions organized this insolent expedition. To shew how dexterous the man is, he has since his return to France again entered into negotiations with the company, and encouraged Sir John Kirk (whose daughter he married) to revive his claims to Canada. I see that the French insinuate that they were at Hudson's Bay before us. Nothing could be further from the truth. We discovered it sixty years ago, and no other nation has traded there. Grosiliers himself was there in 1662, in the employ of the Hudson's Bay Company. I send several journals of voyages to Hudson's Bay, and a map, for the use of Lord Preston. *Signed,* Ja. Hayes. 4 *pp. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 129.]

Feb. 12. **2,098.** Copies of papers relating to Tobago.

Petition of Captain John Poyntz, with minute of 26 February 1683, referring it to Lords of Trade and Plantations.

Order in Council of Dec. 14, 1683, referring the whole matter to the Commissioners of the Treasury.

Order in Council of Dec. 19, 1683, referring the petition of Elias Andrews to the same.

Order of the Commissioners of the Admiralty of 15 Dec. 1683, to stop John Poyntz from sailing.

Report of Commissioners of Customs as to the settlement in Tobago. 15 January 1684.

Affidavit of Elias Andrews as to the destruction of the ship Fountain. 3 January 1684.

Order in Council of 14 Dec. 1683, directing the Governor of Barbados to stop Captain Poyntz.

Order in Council of 6 February 1684 for the attendance of the parties concerned in the proposed settlement of Tobago.

Report of Lords of Trade and Plantations to the King, of 12 February 1684, recommending that the ship Fountain be allowed to proceed to Barbados, on giving security not to land passengers at Tobago.

Memorandum of the Attorney-General's opinion that the King's grant of Tobago to the Duke of Courland is sound in law.

The above were calendared under their dates. [*Col. Papers, Vol. LXIV., No.* 130.]

March 13. Virginia. **2,099.** Lord Howard of Effingham to William Blathwayt. The foreign Indians have disturbed our position of late somewhat, but I hope our arrangements to check them have been effective. The instructions of 3 December have arrived, and are very welcome, as I did not know what was most material to be transacted by the Assembly as to the late plant cutters. *Signed,* Effingham. *Holograph,* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 131.]

1684.

May 19.
Bermuda.
2,100. William Righton to ? . The articles on the other side are those which I preferred against Henry Durham, the Governor, on the 11th May last, and the same day I had a warrant from the Governor and Council to warn the King's witnesses, but without day fixed for their appearance. I was told by the Council that I should have timely notice to appear at the next Council held in town, but observing that it held its meetings at several times and in several places, I requested that the witnesses might be sworn against Durham; but they refused, and told me with great anger that I must wait till the Council sat in town. Six months later, they sent to me to bring my witnesses, but after so long delay, one of my witnesses being dead, I did not go, but sent my reasons in writing to the Council. Then came Governor Cony, but he took no notice of the articles. Then last year I petitioned the Assembly that the witnesses against Durham might be sworn, but the petition was referred to the Governor and Council, and so it was stifled again. My son went the other day to get a clearing for his ship from the Governor, and, keeping his hat on (being a Quaker), was violently beaten by the Governor with his fists. It was all I could do to keep him from falling on the Governor, but the Governor afterwards sent him to prison. I think the people will not endure him much longer. *Signed*, Will. Rignton. The Governor has now proclaimed that the Militia shall not muster, and keeps all our little stock of powder for himself. *Written on same sheet*, The articles of accusation against Henry Durham. *The whole*, 4 *pp.* [*Col. Papers, Vol. LXIV., No.* 132.]

Aug. 2. **2,101.** Oration of the Onandagas and Cayongas Sachems to Lords Howard of Effingham at Albany. 2 *pp. Much damaged.* [*Col. Papers, Vol. LXIV., No.* 133.]

Aug. 25. **2,102.** Inventory of goods imported into Nevis from August 29, 1683, to August 25, 1684. 29 *pp. Endorsed.* Recd. 3 Nov. 84. [*Col. Papers, Vol. LXIV., No.* 134.]

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2,103. Petition of Francis Burghill to the King. For a commission for the Government of the Bermudas, should judgment be given against the Company's charter upon a *Quo Warranto.* [*Col. Papers, Vol. LXIV., No.* 135.]

1685.

Feb. 13. **2,104.** Copies of the proclamation of the accession of King James II., with blanks filled in for the Bahamas and Carolina. *Printed.* [*Col. Papers, Vol. LXIV., Nos.* 136, 137.]

Feb. 21. **2,105.** Bond of Barrakiah Arnall, in £1,000, to the King. *Copy.* 1 *p.* [*Col. Papers, LXIV., No.* 138.]

[March 3.] **2,106.** Observations upon the charter of New York. A series of remarks, chiefly on the points that required attention when the proprietor came to the throne as King James II. 4 *pp. Endorsed.* Recd. 3 March 1684-5. [*Col. Papers, Vol. LXIV., No.* 139.]

1685.

March 12. **2,107.** Minutes of Council and Assembly of Antigua. The Assembly proposed that the Marshal be permitted to keep prisoners in his house; that no person buy of negroes or slaves. The Council concurred. Adjourned to 23 March. [*Col. Papers, Vol. LVII., No.* 49.]

March 23. **2,108.** Minutes of Council and Assembly of Antigua. The Council sent down the Acts to be confirmed by the King to the Assembly. The Assembly concurred, but wished the dates to be altered. The Assembly suggested that the King be asked to disallow the Act for execution of runaway negroes. The Council concurred [*Col. Papers, Vol. LVII., No.* 49.]

April 5. **2,109.** Sir Richard Dutton to William Blathwayt. As to certain papers sent and required by him in the matter of his dispute with Sir John Witham. *Holograph.* ½ *p. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 140.]

April 29. **2,110.** Minutes of Council and Assembly of Antigua. Proclamation of King James II. Copy of the letter from the Lords of Trade of 6 February, of the King's warrant for continuing the seal. The Council urged that the Acts to be sent to England should be proceeded with without delay. The Assembly answered it would make what haste it could. [*Col. Papers, Vol. LVII., No.* 49.]

[May 5.] **2,111.** Reason urged by the Royal African Company against the Act of Extent in Antigua. Showing that it will increase the difficulty of recovering debts, and be especially hard on creditors. 2 *pp. Endorsed.* Recd. 5 May 85. [*Col. Papers, Vol. LXIV., No.* 141.]

July 17.
Whitehall. **2,112.** Order of the King in Council. Report of Lords of Trade and Plantations. We have received articles from Mr. Randolph against the Charters of Rhode Island and Connecticut, and recommend that writs of *Quo Warranto* be issued against them. We have also received an address from the Mayor and Aldermen of New York (*see No.* 1861.), that the Colony has suffered much since the separation of Delaware and East and West Jersey, and we recommend the issue of writs against the patents of Delaware, East and West Jersey, accordingly. *Signed,* Rochester, Clarendon, C.P.S., Halifax P., Ormond, Beaufort. [*Col. Entry Bk., Vol. XCVII., pp.* 230, 231.]

Sept.
15-16. **2,113.** Minutes of Council and Assembly of Antigua. The Governor proposed that the country should be put in a state of defence by erecting a fort; pointing out the delays and defects, recommending that the forts at St. John's and Falmouth be provided with guns and ammunition, and that the Acts which are sent home be continued in force until the King's pleasure be known. Address of the Assembly. We agree as to the mounting of guns in the forts. If any further fortification be necessary, we are willing to have one in the body *(sic)* for safety of the powder and of incapacitated persons. We believe the repair of St. John's and Falmouth to be sufficient for present needs. We concur as to

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the prolongation of the Acts. Message from the Governor and Council, pressing the necessity for providing for the safety of the country. Answer of the Assembly. We can do no more than we have proposed, and we require your assistance in drafting Acts. Message of the Governor and Council. It is for you to initiate Acts, and for us to agree to them. Answer of the Assembly. We desire the Governor to give what orders he thinks best for mounting of the guns. Message of the Governor and Council. We desire you to draw up the Act to reinforce the Acts sent home for confirmation. Answer of the Assembly. We have referred this business to a Committee. We desire a dissolution, according to custom.

Sept. 16. The Governor dissolved the Assembly. [*Col. Papers, Vol. LVII., No.* 49, *and Col. Entry Bk., Vol. XLVIII., pp.* 79-93.]

Sept. 20. **2,114.** List of rebels from Dorchester Gaol, to be transported to Barbados, with Sir William Booth's receipt for the same. 2 *pp. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 142.]

Sept. 25. **2,115.** Warrant for delivery of convicted rebels to Mr. Nepho, for transportation. *Copy.* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 143.]

Sept. 25. **2,116.** List of convicted rebels delivered from the Bridewell at Taunton, with Sir William Booth's receipt for the same. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 144.]

Sept. 26. **2,117.** A similar list of rebels to be transported from Wells, with receipt of Charles and Daniel Pym for the same. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 145.]

Sept. 26. **2,118.** A similar list of rebels from Exeter, Dorchester, and Wells, with receipt of George Penne and Charles White for the same. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 146.]

Oct. 12. **2,119.** List of one hundred convicted rebels to be transported from Taunton, with receipt of John Rose for the same. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 147.]

Oct. 21. **2,120.** George Penne to Jerome Nepho. I send a list of the hundred rebels granted to you by the King for transportation from Dorchester, Exeter, and Wells. *List follows.* 3 *pp.* [*Col. Papers, Vol. LXIV., No.* 148.]

Oct. 24. **2,121.** A list of convicted rebels sent to Barbados, with Sir William Booth's receipt for the same. 2 *pp.* [*Col. Papers, Vol. LXIV., No.* 149.]

Nov. 12. **2,122.** Minutes of Council and Assembly of Antigua. Order for gentlemen of both Houses to be appointed to inspect the Treasurer's lists in the different divisions, and strike off insolvent persons, and for a Committee to be named to draw up an Act to confirm bills or deeds of sale that are good in law. [*Col. Papers, Vol. LVII., No.* 49.]

1685.
Nov. 24.
Charlestown. **2,123.** Address of the inhabitants of Carolina to the King. Thanking him for his gracious letter to Lord Craven, with his promise to cherish and protect the Colony. *Copy.* 1 *p. Endorsed.* Read in Council March 26, 1686. [*Col. Papers, Vol. LXIV., No.* 150.]

Nov. 25. **2,124.** Invoice of the convicted rebels shipped at Weymouth. *Signed,* James May. *Copy. Large sheet. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 151.]

Dec. 9. **2,125.** Invoice of sixty-eight rebels shipped to Jamaica and Barbados. 1 *p. Endorsed,* with a receipt by John Rose. [*Col. Papers, Vol. LXIV., No.* 152.]

Dec. 10. **2,126.** Petition of Edward Plampin. For the trial of his cause for recovery of a debt of £5,000 due to him as executor of John Bagnall, deceased, from Edmund Scarborough of Virginia. 1 *p. In the margin.* Order of the King in Council, dated Whitehall, 10 December 1685, referring the petition to Lords of Trade and Plantations for report. *Signed,* Sunderland, P. *On the opposite margin.* Read 14 Dec. '85. [*Col. Papers, Vol. LXIV., No.* 153.]

2,127. A brief of the particulars of the new patent (for New England). Confirmation of the first charter, new grant of the territory, the tenure to hold of the person of the King. The Council to be established may be resident about the city at all times, and one of them at the least, viz., the President or Treasurer; and these to be called the first Council established near the person of the King. These to have power to erect a Council of Association unto them of the principal gentlemen out of any or every county as they shall find best affected to the plantation. To be free of all customs for goods carried out or returned directly and also of the product of such goods as are sold at foreign markets and brought into England for seven years. That all controversies about ships' freight or mariners' wages that shall happen in going to New England or in the country there or in the return shall be heard by the President and Council or by the Lieutenant and Council there, according to their pleasure. To create and confer dignities (granted to others). The Council of New England to enjoy all other privileges granted to any plantation. That the patent be confirmed on renewal; that a favourable exposition be made of the words of the patent. *Undated.* 1 *p.* [*Col. Papers, Vol. LXIV., No.* 154.]

2,128. Draft of proposed letters patent to be granted to William Stoughton, Joseph Dudley, and others, for certain land to the West of the river Merrimac. 6 *pp.* [*Col. Papers, Vol. LXIV., No.* 155.]

1686.
May 25. **2,129.** Minutes of Council of New England. The King's Commission read and the President and Council sworn. The President's speech. Proclamation of the new Government. Commissions of the peace for Boston, Middlesex, and Essex. Giles Dyer appointed receiver of the duties on wines. Order for the proclamation to be sent to every town.

1686.

May 26. Order for a Court of Pleas to be held on the last Tuesday in July, and for an oath to be taken by justices of the peace. Commissions of the peace for Maine and New Hampshire. Order as to the trial and appeal in case of causes involving less than forty shillings. William Stoughton chosen Deputy President. Order for military commissions to be prepared. Letter to the Governor of Bermuda in favour of Anthony Haywood.

May 27. Courts of Pleas appointed, with their times, places, and orders.

May 28. Orders as to legal procedure, records, wills, etc. John Usher appointed Treasurer. Commissions for several justices of the peace delivered to Richard Smith.

May 29. Orders for Messrs. Lynd, Sheafe, and Nowell to attend the Council. Further regulations as to legal procedure. [*Col. Entry Bk., Vol. LXII., pp.* 1-15.]

June 1. **2,130.** Minutes of Council of New England. A libellous paper of some late deputies and signed by Mr. Rawson, read. Ordered that Rawson be examined concerning this paper. An address to the King resolved on; Mr. Mason to present it. The Treasurer to pay for Mr. Mason's passage and entertainment.

June 2. Order for the continuance of the duty of one penny in the pound on goods imported from England. The necessity for an Assembly discussed. Order for continuance of the duties of excise and import, and for collection of the powder duty. Order fixing the table of legal fees. Order for the President to have an honourable maintenance when the revenue be ascertained. Order for the proclamation continuing import and excise duties to be published, that the land at Pojebscot be made over to Richard Wharton, that sugar imported from the West Indies and at once re-exported be allowed an abatement of duty. Instructions to Robert Mason, including one to point out the need of an Assembly.

June 3. Peter Bulkeley appointed Provost Marshal. Order for a present of £100 to be made to the President of the first revenue raised. Captain Edward Tyng to be commander of Fort Loyal. [*Col. Entry Bk., Vol. LXIV., pp.* 16-26.]

June 8. **2,131.** Minutes of Council of New England. Order settling the fees of clerks of County Courts in New Hampshire. The former allowance to be continued to Captain Edward Tyng for the present. *Col. Entry Bk., Vol. LXIV., p.* 26.]

June 10. **2,132.** Minutes of Council of New England. Orders confirming the former boundaries of townships, former contracts with ministers or schoolmasters, and for the defraying of public town-charges.

June 11. Order for a Committee to decide the lot of lands of the town of Worcester. The President took the oath to observe the Acts of Trade and Navigation. Committees appointed to enquire and report to Whitehall the best methods of trade. Their instructions.

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Order to Edward Rawson to deliver the books and records of his office to Edward Randolph. [*Col. Entry Bk., Vol. LXIV., pp.* 27-33.]

June 14. **2,133.** Minutes of Council of New England. The prison-keeper reporting that George, an Indian, had not been transported as ordered, was ordered to sell the said George for not more than seven years. Elisha Hutchinson refused a commission as captain of a foot company in Boston.

June 15. Order appointing sundry minor officials, and for the records of Narragansett to be brought to Boston. [*Col. Entry Bk., Vol. LXIV., pp.* 33, 34.]

Oct. 2. **2,134.** Journal of Council and Assembly of Nevis. Petition of James Biss for two barrels of powder rejected. Twenty pounds of sugar per cent. added to the pay of the guarders. The Assembly was dissolved. [*Col. Entry Bk., Vol. XLVIII., pp.* 123, 124.]

June 17. **2,135.** Minutes of Council of New England. Further orders as to the settlement at Worcester. Orders on sundry minor affairs.

June 18. Order as to ships in the Isle of Sholes, and as to selling liquor to Indians. [*Col. Entry Bk., Vol. LXIV., pp.* 34-37.]

July 1. **2,136.** Minutes of Council of New England. Edward Randolph sworn as Secretary, and John Usher sworn Treasurer Adjourned to 8th. [*Col. Entry Bk., Vol. LXIV., pp.* 37, 38.]

July 8. **2,137.** Minutes of Council of New England. Sundry petitions read and orders thereupon. Order for taking off the seizure of the ketch Prosperous. Order for removal of gunpowder stored in Boston to some safe place. The King's letter as to Edward Gove read. [*Col. Entry Bk., Vol. LXIV., pp.* 39-41.]

July 12. **2,138.** Minutes of Council of New England. On reading the King's letter of 12 April, ordered that Edward Gove's lands be ascertained and restored to him. Phesant Eastwick appointed Provost-Marshal of New Hampshire. Order granting a petition for allowance of purchases made from Indians on the Merrimac river. Captain George, R.N., appeared, and a paper was read respecting his affront to Edward Randolph. Order for admission of French Protestants to reside in the country in taking the oath of allegiance. [*Col. Entry Bk., Vol. LXIV., pp.* 41-44.]

July 20. **2,139.** Minutes of Council of New England. Agreed to consider the question of Cambridge College on the 23rd: Mr. Mather to attend. Order for a letter to the late recorder of Maine to deliver up the records of that province. Sunday received orders.

July 21. **2,140.** A letter to be taken by Major Pyncheon and Wait Winthrop to Connecticut, asking for as many as possible of the Council to be convened at Hartford the 3rd August.

July 22. **2,141.** Order prohibiting the export of corn or grain, and for payment of arrears of rates. An order of 1671 made by the select men of Boston concerning the storage of gunpowder confirmed. [*Col. Entry Bk., Vol. LXIV., pp.* 45-51.]

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July 25. **2,142.** Minutes of Council of New England. Major Richards, Simon Lynds, and Captain Hammond, appointed a committee to examine Mr. Danforth's accounts as steward of Cambridge College.

July 26. **2,143.** Simon Lynds and John Richards sworn as assistant judges for the next Court of Pleas. Oath to be administered to attorneys before they be admitted as such in Court. John Hincks appointed captain of the fort at Great Island. Richard Waldern, jun., to be Clerk of the County Court, and Edward Randolph's deputy in New Hampshire. Order that the contribution-money collected in Mr. Ratcliffe's church be applied wholly to his maintenance. Major Richards and the captains of companies at Boston presented a paper as to military orders. William Stoughton appointed judge of the County Courts.

July 27. **2,144.** Order for Major Pyncheon and Mr. Winthrop to be paid each ten pounds for their journey to Hartford. Three persons, who failed to observe the appointed day of humiliation, summoned to appear before the Council. [*Col. Entry Bk., Vol. LXIV., pp.* 51-56.]

July 30. **2,145.** Minutes of Council of New England. The three men summoned for not observing the day of humiliation appeared, and shewing past evidence of disaffection in their defence were ordered to take the oath of allegiance, on pain of imprisonment, which after some demur they did. Order that Boston, Salem, Ipswich, and Great Island, shall be the only ports of entry.

July 31. Order for summoning witnesses in a criminal case. [*Col. Entry Bk., Vol. LXIV., pp.* 56-58.]

Aug. 5. **2,146.** Minutes of Council of New England. A letter from New Hampshire read, reporting the removal of the records from them. Mr. Chamberlain being summoned, acknowledged that he had given orders to deliver to Joshua Bradbent the records relating to himself and Mr. Mason, but no more. Order for the arrest of Bradbent. Order for Mr. Stileman to be admitted to view the records if he wishes. Order for the records of Portsmouth to be returned to New Hampshire by land. Order for a brief to be printed and sent to all meeting-houses, calling attention to the distressful state of the French Protestants now landed and landing in Boston. [*Col. Entry Bk, Vol. LXIV., pp.* 59-61.]

Aug. 10. **2,147.** Minutes of Council of New England. Joshua Bradbent was brought up in custody to answer for removing the records of New Hampshire to Boston, and after examination was returned back to prison. Order for Mr. Chamberlain to return to his duties at Piscataqua, or otherwise for Mr. Stileman to officiate there till further notice, and that he commit the records of New Hampshire to Mr. Stileman, to be returned thither. Sundry minor orders. [*Col. Entry Bk., Vol. LXIV., pp.* 62-64.]

Aug. 20. **2,148.** Minutes of Council of New England. On the petition of Andrew Belcher, his sloop from Newfoundland was allowed to wood and water. The military orders read, and ordered to be transscribed for the Council. [*Col. Entry Bk., Vol. LXIV., p.* 64.]

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Aug. 25. **2,149.** Minutes of Council of New England. John Gold dismissed with a fine of £50, and bound for his good behaviour. Sundry petitions considered. Order for the military orders to be printed; also the order for observing the Lord's Day.

Aug. 26. Ordered that a Committee sit to revise the laws. [*Col. Entry Bk., Vol. LXIV., pp.* 65, 66.]

Sept. 25. **2,150.** Minutes of Council of New England. Order for the ordinary annual charge of the Castle to be £200, of which £50 to the lieutenant, provided he be always in residence. Captain Clapp to deliver up the Castle and give an account of the stores therein. Sundry petitions and minor orders. Order approving the removal of the distressed Eleutherian people to Caicoa Bay for settlement.

Sept. 26. Letter to Captain St. Loe, refusing him permission to have a bonfire, owing to the danger to the city, which is built of wood. Sundry minor orders.

Sept. 27. Order for a market to be kept in Boston; the details referred to a Committee. Order as to Siveret's ship, seized by Mr. Randolph, that she be tried in some British port. Order for the distribution of the money collected at Salem for the distressed French settlers. [*Col. Entry Bk., Vol. LXIV., pp.* 67-74.]

Oct. 1.
Quebec. **2,151.** Mons. de Denonville to Governor Dongan. I have received by Father Lamberville the elder, missionary with the Iroquois, your letter of 27 July. I repeat that it will not be my fault if we do not live on a good understanding, and I am willing to believe that you on your side will contribute to the same end. I do not believe that the King your master would approve of your giving presents to the Iroquois, arming them to make war against us this year, and encouraging them to pillage French traders. You proposed to remit all disputes to the decision of our masters, but your envoy to the Onandagas has told all the tribes to plunder us and make war on us. Whether he did so by your orders or by those of the traders at Orange, he has done it. You know what your traders did at Michillimackinac. I ask you, do you expect me to think such conduct in accordance with your letter of the 27th July, full as it is of friendly professions as to religion and a good understanding between us? You told me that you will send me back all the deserters who have taken refuge with you, but you cannot but be aware that there are some with you now; and as they are all bankrupts or thieves, I hope that they will some day regret that you sheltered them, and that your traders will pay for employing rogues who will be as faithless to you as they have been to us. I am satisfied of your King's zeal as to religion. He has given proofs enough of it in his own dominions since his accession; but I wish that his piety was equally effective under your orders, and that you might find means to restrain his enemies from destroying the fruit of our missions by their wars and their cruelty. You know that they spare neither the Ottawas, our oldest allies, nor the other tribes among whom our evangelists are at work. You know also the barbarity that they have shewn towards the missionaries whom they here martyred. Will not such considerations lead you to

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second the pious intentions of your master? Religion can make no progress while your traders give them abundance of brandy, which turns them into demons and their abodes into hells. Be assured that I shall gladly try to obtain from you the favour which you desire from my king, who does not neglect men who, like you, have served him well. I wish you had explained that matter further, and sent me the vouchers or proofs of your claim. So many things pass through the hands of ministers that I fear M. de Louvois may not have remembered yours. And you do not give the name of the intendant of Nancy to whom you refer; but I will do my best for you. *Signed,* Le M. de Denonville. *French.* 3¼ *pp. Endorsed.* [*Col. Papers, Vol. LXIV., No.* 156.]

Oct. 21. **2,152.** Minutes of Council of New England. Order for Mr. Addington and Mr. Bullivant to take over the records from Mr. Rawson and deliver them to the Secretary. Captains George and St. Loe, R.N., being summoned to attend the Council, replied that if the President had any orders to them for the King's service, they would obey him, but that they knew nothing of the Council. Being called thrice, they did not appear. Order for a summons to be issued to them with the seal of the President and Council, ordering them to appear to-morrow, and that the Secretary write and inform them that, in consequence of many misdemeanours committed by their men, they are required not to allow them ashore after dark. David Simpson, of H.M.S. Rose, examined for his refusal to allow Mr. Randolph's officers to board the ship Adventure. He said that he had orders to seize the ship.

Oct. 22. A question as to purchase of Indian lands on Concord river by Jonathan Tyng and Thomas Hinchman settled. Letter ordered to Captain George St. Loe, reqiring his attendance on Thursday next, 27th. [*Col. Entry Bk., Vol. LXIV., pp.* 75-78.]

Oct. 27. **2,153.** Minutes of Council of New England. A complaint lodged against Giles Smith, one of Captain St. Loe's seamen, for abusive language and swearing. Ordered that he be fined twenty shillings and be handed over to his captain for punishment for swearing. Colonel Dongan's letter read. The business of Mr. Pierce, the printer, referred to the Secretary and Mr. Winthrop. Adjourned to 9 November. [*Col. Entry Bk., Vol. LXIV., p.* 79.]

Nov. 9. **2,154.** Minutes of Council of New England. A Committee appointed to settle the town of Quabang and grant the lots to the inhabitants. The 26th inst. appointed for a day of public thanksgiving. Mr. Randolph to appoint a deputy for the King's customs on the Western side of Kennebec river. Order for the treasurer to present his accounts. Sundry small petitions and orders. Order for a report as to Edward Cranfield's estate in New England, and as to money received by him from the purchasers of Edward Gove's estate. Order for an assessment on the county of Middlesex for the maintenance of two poor persons, and for Stow town to be added to the county of Merrimac. Sundry small orders. [*Col. Entry Bk. Vol. LXIV., pp.* 80-84.]

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Nov. 11. **2,155.** Minutes of Council of New England. The preacher for Thursday next to be prayed to hasten his sermon because of the short days. Order for the constables to be provided, at the town's charge, with staves seven feet long, to be painted with the King's arms, after the mode of London. Order for the Deputy-President, Mr. Randolph, and Mr. Wharton, to attend Sir Edmund Andros to the town on his arrival, and that the gunners at the forts be ready to salute on signal from the town-house, that the regiment be ready to receive him at the sea shore, and that the Castle company be ready to turn out at a quarter of an hour's warning. Adjourned to 18th. [*Col. Entry Bk., Vol. LXIV., pp.* 84-86.]

Nov. 18. **2,156.** Minutes of Council of New England. Order for enforcing the law against licensed public-houses that refuse to pay their subscriptions to the King's receiver. Orders for payment of £50 to Edmund Randolph for extraordinary service, £25 to the Deputy-President for his pains as Judge of the Court of Pleas, and £25 to Richard Wharton for his services in the Narragansett Country. Sundry orders as to accounts and payments. [*Col. Entry Bk., Vol. LXIV., pp.* 87-89.]

Nov. 20. **2,157.** Edward Randolph to Sir James Hayes. Since receipt of your obliging letter of 4 August we have a new face here, and the expectation of Sir Edmund Andros coming to be our Governor puts a general check on the old faction, which has been as stoutly supported by many in the new Government as was formerly by the old members. Mr. Dudley, wind-miller-like, has turned to every gale; but in spite of them all we have got the town house for our Church of England, where we have divine service twice every Sunday and prayers Wednesday and Friday mornings, and have sometimes seven or eight children, with their parents, baptised, and three or four hundred hearers. But not one of the Council except myself, and not above two or three of our Church are in any employment, civil or military.

Thus much as to our own affairs. There is lately a report from New York that the French of Quebec have again invaded and taken two or three forts from the Hudson's Bay Company. A French trader who was lately at Albany reported this for truth, and I believe it, since a merchant who was lately at Quebec, told me the late attempt upon the inhabitants was carried on by some of the inhabitants of Quebec, and when they heard that Mr. Bridges was arrived and complaining at Court, they expected to be called to account and obliged to give full satisfaction. But finding the matter delayed, they were encouraged to make this further attempt. I should be glad to find myself mistaken. The French in Nova Scotia are very high-handed with our fishermen, and our Governor will have not a few complaints of that nature. Captain George, R.N., has acted very imprudently here, and occasions the people to cry out. Certainly as matters now stand we can do the King no better service than to convince the people that his government is preferable, by laying aside passion and treating them with justice, which is a thing they are hitherto unacquainted with. They are very numerous, and it is far easier

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to affright them to rebellion than to obedience. I am always at your service, and a well wisher to the Hudson's Bay Company. *Signed,* Ed. Randolph. *Holograph.* 1½ *pp.* [*Board of Trade. Hudson's Bay I., pp.* 35, 36.]

Nov. 23. **2,158.** Minutes of Council of New England. Order for allowance of one shilling in the pound and of a salary of £75 to Giles Dyer, Deputy-Collector of the King's customs, for payment of £10 to the Treasurer for extraordinary services, and for payment of £30 to Richard Smith to be employed in the service of the Narragansett Country. Adjourned to 8 December. [*Col. Entry Bk., Vol. LXIV., p.* 90.]

Dec. 8. **2,159.** Minutes of Council of New England. Order for Wait Winthrop, Simon Lynd, Benjamin Bullivant, Isaac Addington, and Edmund Randolph, to be a Committee to receive the records from Edmund Rawson. Order fixing the price of grain: wheat five shillings the bushel, rye and pease four shillings, Indian corn and oats two shillings. The maintenance of the ministry at Malden referred to a Committee. Order as to Hadley school and Hopkins' school. Order empowering the hamlet of Muddy river to erect a school. Table of fees to the King's wine-cooper fixed. Sundry minor business and orders for payments. [*Col. Entry Bk., Vol. LXIV., pp.* 91-95.]

Dec. 15. **2,160.** Minutes of Council of New England. Order for sundry payments. The complaint of certain inhabitants of Charlestown as to trespasses to be heard by a committee.

Dec. 16. The Deputy-President and Mr. Wharton presented their report as to the ministry of Malden. Copy of the report. [*Col. Entry Bk., Vol. LXIV., pp.* 96-99.]

Dec. 20. **2,161.** Minutes of Council of New England. Sir Edmund Andros's Commission published. He and the Council sworn, and the warrant for the new great seal produced. Officers confirmed in their places. The Governor resolved to write to Rhode Island and New Plymouth as to their inclusion in his government.

Dec. 21. Order for repair of the castle and for Mr. Gibbs's house on Fort Hill to be made ready for the soldiers. [*Col. Entry Bk., Vol. LXIV., pp.* 107-108.]

Dec. 30. **2,162.** Minutes of Council of New England. The Governor and Council of Rhode Island informed the Governor that, owing to bad weather, their charter had not yet arrived. The Councils of Rhode Island and New Plymouth sworn. The Governor took the oath to observe the Acts of Trade. Proclamation ordered, to confirm all officers in their places for the present. New commissions to be prepared.

Dec. 31. Messrs. Dudley, Stoughton, Wharton, Hinckley, Walley, Clarke, and Coggeshall appointed a Committee to report the methods for administration of justice at next Council. [*Col. Entry Bk., Vol. LXIV., pp.* 109, 110.]

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2,163. Representation by Edward Randolph of the obstruction offered to him in the execution of his duty as Collector by Captains George and St. Loe, R.N. 2 *pp.* *Copy.* *Undated.* [*Col. Papers, Vol. LXIV., No.* 157.]

2,164. A collection of depositions taken before the Court of Admiralty in London as to the capture of the vessel Perpetuana, freighted by the Hudson's Bay Company, by the French, in 1685. [*Board of Trade. Hudson's Bay I., pp.* 225-332.]

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2,165. "Description of the Great Western Lake" [so endorsed, but headed in a different hand, Description of the Great Northern Lake]. There hath been lately discovered in the Northern parts of America a vast mediterranean sea of fresh water, above five thousand miles in compass. Its extent is N. and S. from 51 to 39 deg., and in longitude, according to the best calculation, 13 or 14 deg., navigable in most parts by ships of 300 or 400 tons. No access from the E. side of America but through Pennsylvania. 10 *pp.* *Endorsed.* Recd. March 1687. [*Col. Papers, Vol. LXIV., No.* 158.]

Jan. 17. Rouen. **2,166.** Extract from a letter to the Hudson's Bay Company. A captain just returned from cod fishing off Canada reports that the French had made two several expeditions against the forts at Hudson's Bay, had captured two and besieged the third. *Copy.* ½ *p.* *Board of Trade. Hudson's Bay I., p.* 39.]

Jan. 23. Rochelle. **2,167.** John Butler to ? . The French have destroyed the forts in Hudson's Bay, so there is no more coming there for the English. The French say that when paid for their losses they will be good neighbours, but that they are not going to be betrayed by renegade Frenchmen. I tell you that a hundred of the French who lie there can do more in the woods than five hundred that the English can send against them. *Copy.* 1 *p.* [*Board of Trade. Hudson's Bay I., p.* 41.]

Jan. 26. **2,168.** ? to the directors of the Hudson's Bay Company. A letter from my brother in Canada informs me that the French have taken their forts, two ships, and a quantity of beaver. You may be sure that this is correct. *Copy.* [*Board of Trade. Hudson's Bay I., p.* 37.]

Feb. 13. Rochelle. **2,169.** Translation of a French letter. Reporting the destruction of the English forts at Hudson's Bay by the French. *Copy.* ½ *p.* [*Board of Trade. Hudson's Bay I., p.* 43.]

Feb. 15. **2,170.** Deposition of Richard Smithsend. As to the capture of a ship of the Hudson's Bay Company in July 1685, by a French ship, which alleged that it had the French King's commission; and as to the destruction of the British factories in Hudson's Bay by the French in February 1686. Deponent was sent prisoner to Guadeloupe, where the Governor released him. Sworn 15 Feb. 1686-7. [*Board of Trade. Hudson's Bay I., pp.* 33-34.]

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June 4. **2,171.** Directors of Hudson's Bay Company to Lords of Trade and Plantations. As to what the French pretend of being premier company at Port Nelson in 1682, we offer to your consideration (1) that Sir Thomas Button wintered at Port Nelson; (2) that Luke Fox set up a cross there; (3) that Charles Bayley sent a ship there from the bottom of the Bay; (4) that Benjamin Gillam was building a fort there when the French came. *Signed*, John Hubbard, Will. Yonge, Rich. Cradock. [*Board of Trade. Hudson's Bay I.*, *p.* 187.]

2,172. Lord Preston to Lords of Trade and Plantations. I have seen an answer delivered to you by the French Commissioners on behalf of the French Company of Canada, wherein it is stated that "the French Company was not able to obtain right in England nor in France from Lord Preston for the seizure made in 1683 of their port on Bourbon river, Lord Preston having told their agent that this affair did not concern the King, it being only merchants' interest." It is wholly new to me that the French ever demanded satisfaction against the Hudson's Bay Company from me, my orders having been constantly to complain to obtain satisfaction for it. No agent of the French Company, applied to me, to my knowledge, during my stay in France, so I could make no such declaration as is alleged by the French Company. It is strange that it should be said that after having been refused right in England they should apply to me, whom they knew to be complaining against them on behalf of English subjects. As to merchants' matters not being the King's concern, I can produce my memorials to show that I always insisted on the restitution of Port Nelson and for satisfaction for damage; the answers that I received, far from disavowing the right of the English to the place in question, seemed rather to own it. *Signed*, Preston. *Holograph.* 3 *pp.* [*Board of Trade. Hudson's Bay I.*, *pp.* 199-201.]

2,173. A collection of documents relating to Hudson's Bay.

Deposition of Nehemiah Walker, as to the explorations and annexations of Governor Charles Bayley in 1670. Sworn 14 June 1687. ½ *p.*

Deposition of William Bond, as to the further annexations of Charles Bayley in 1673. 1 *p.* Sworn 20 May 1687.

Deposition of Philip Bayley, as to the arrival of Benjamin Gillam at Port Nelson in 1682 before the French. Sworn 9 June 1687. 1 *p.*

Deposition of John Calvert. To the same effect as the preceding. Sworn 10 June. 1½ *pp.*

Original letter of Count Frontenac to the English Commander at Hudson's Bay. Quebec, 8 October 1673. A letter of compliment, sent by the hand of M. Albanel. *Signed*, Frontenac. ½ *p.*

English translation of the preceding. 1 *p.* [*Board of Trade. Hudson's Bay I.*, *pp.* 203-221.]

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2,174. Petition of the Hudson's Bay Company to the King. Table of damages claimed for outrages by the French.

1682.	For injuries done in 1682 by M. de la Cheney	£25,000
1684.	For injuries done by Governor de la Barre at Port Nelson	£10,000
1685.	For capture of the Company's relief-ship by the French	£5,000
	Due further to the owner of the ship	£1,255
1686.	For destruction of forts, capture of ships and of goods	£50,000
	Sundry injuries during the past five years	£26,000
		£111,255

We beg that satisfaction may be insisted on. 1 *p.* [*Board of Trade. Hudson's Bay I., p.* 181.]

2,175. Geographical comments on the French memorials concerning Hudson's Bay, drawn from sundry maps. *The French articles and the English reply in parallel columns.* [*Ibid., pp.* 183-185.]

1687 ? **2,176.** Petition of William Stoughton, Joseph Dudley, and others, to the King. For confirmation of land purchased from Indians to the west of the Merrimac. *In the margin.* Referred to Sir Edmund Andros. 1 *p. Undated.* [*Col. Papers, Vol. LXIV., No.* 159.]

2,177. "The Governor and Assistants of the New Pennsylvania Company." Richard Haynes Governor, William Withers Deputy-Governor, and thirteen more names. *Scrap. Undated.* [*Col. Papers, Vol. LXIV., No.* 160.]

1688 ? **2,178.** Memorial of Hudson's Bay Company to the King. Since you ask us to suggest how best we shall defend ourselves against the French with ease to yourself and your Government, we ask you to let loose your subjects of New England and other plantations in America upon the French, and to grant us letters of marque and reprisal until satisfaction and restitution be made. But how far this may accord with your Majesty's great affairs we submit to you. *Signed,* Churchill. 1 *p.* [*Board of Trade. Hudson's Bay I., p.* 195.]

1688.
May 11. **2,179.** Order of the King in Council. On the petition of Richard Knight, ordered that petitioner's appeal be admitted, and that the examination of the whole matter be referred to Lords of Trade and Plantations, who will send for an account of the proceedings. *Signed,* Wm. Bridgeman. [*Col. Entry Bk., Vol. VIII., pp.* 156, 157.]

July 6. **2,180.** Order of the King in Council. Referring the petition of Sir John Witham, for an appeal against a decision given against him by the Governor and Council of Barbados to Lords

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of Trade and Plantations, who will hear the said appeal, if they see cause, and report. *Signed*, Phil. Musgrave. 1 *p.* *Annexed*,

2,180I. Petition of Sir John Witham to the King. For an appeal against a decision given against him by Sir Richard Dutton and Council in the matter of a suit by John Gray and others. 3 *pp.* *Copy.* *The whole endorsed.* Recd. 19 July '88. Read same day. [*Col Papers, Vol. LXIV., Nos.* 161, 161I.]

[July 6.] 2,181. An account of the proceedings in respect of the above case, as extracted from the records of Court and minutes of Council of Barbados. 8 January 1684 to 21 February 1688. [*Col. Papers, Vol. LXIV., No.* 162.]

[July 6.] 2,182. Certificate as to the authenticity of the copies of the foregoing documents. *Signed*, Edwyn Stede. 5 April 1688. [*Col. Papers, Vol. LXIV., No.* 163.]

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2,183. Indexes of certain collections of papers, as formerly bound together.

Jamaica papers, 17 June 1680 to May 1686.
New England papers, 1677 to 1686.
Leeward Islands, 1686 to 1688.

[*Col Papers, Vol. LXIV., Nos.* 164-166.]

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